BLOGS

# Practice Multiple Choice Questions on Transfer of Property Act

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## QUESTIONS

**Question 1**: Which of the following is *not* considered an immovable property under the Transfer of Property Act?

1. Land
2. Machinery permanently fixed to land
3. Growing crops
4. A factory building

**Correct Answer**: 3. Growing crops

**Explanation**: According to Section 3 of the Transfer of Property Act, immovable property does not include standing timber, growing crops, or grass. These are considered movable properties.

**Question 2**: What is the minimum duration required to constitute an actionable claim?

1. 3 months
2. 6 months
3. No specific duration is required
4. 12 months

**Correct Answer**: 3. No specific duration is required

**Explanation**: An actionable claim is a claim to any debt or beneficial interest not in possession and can exist irrespective of duration.

**Question 3**: In the absence of a written agreement, which type of transfer is void under the Transfer of Property Act?

1. Sale of immovable property
2. Mortgage by simple mortgage
3. Lease exceeding one year
4. All of the above

**Correct Answer**: 4. All of the above

**Explanation**: Section 54 requires sales of immovable property worth ₹100 or more to be through a registered document. Similarly, Sections 59 and 107 mandate registration for mortgages and leases exceeding one year.

**Question 4**: Which of the following is *not* a mode of transfer under the Transfer of Property Act?

1. Exchange
2. Sale
3. Gift
4. Partition

**Correct Answer**: 4. Partition

**Explanation**: Partition is governed by the law of succession or family law and is not a transfer as per the Transfer of Property Act.

**Question 5**: Under Section 6 of the Transfer of Property Act, which of the following properties cannot be transferred?

1. A future property
2. A debt due
3. Public office
4. Agricultural land

**Correct Answer**: 3. Public office

**Explanation**: Section 6 specifies that public offices and their associated emoluments cannot be transferred.

**Question 6**: Which of the following statements about a gift under the Transfer of Property Act is true?

1. A gift requires consideration.
2. A gift must be in writing and registered.
3. A gift can only be for immovable property.
4. A gift can be revoked unilaterally.

**Correct Answer**: 2. A gift must be in writing and registered.

**Explanation**: Section 123 requires gifts of immovable property to be executed through a written and registered instrument.

**Question 7**: A lease of immovable property for agricultural or manufacturing purposes can be created for a maximum period of:

1. 5 years
2. 15 years
3. 99 years
4. No limit, subject to registration

**Correct Answer**: 4. No limit, subject to registration

**Explanation**: The Transfer of Property Act does not limit the duration of agricultural leases, but leases exceeding one year require registration (Section 107).

**Question 8**: Which section of the Transfer of Property Act deals with “Doctrine of Lis Pendens”?

1. Section 53
2. Section 52
3. Section 50
4. Section 60

**Correct Answer**: 2. Section 52

**Explanation**: Lis pendens means “litigation pending” and prevents the transfer of property under dispute.

**Question 9**: Which of the following mortgages involves delivery of possession of the property?

1. Simple mortgage
2. Usufructuary mortgage
3. English mortgage
4. Mortgage by deposit of title deeds

**Correct Answer**: 2. Usufructuary mortgage

**Explanation**: Section 58(d) defines a usufructuary mortgage as one where possession is delivered to the mortgagee.

**Question 10**: The phrase “equity of redemption” is associated with which kind of property transfer?

1. Sale
2. Lease
3. Mortgage
4. Exchange

**Correct Answer**: 3. Mortgage

**Explanation**: Equity of redemption refers to the mortgagor’s right to reclaim property after repayment of the debt.

**Question 11**: Which type of transfer is described in Section 118 of the Transfer of Property Act?

1. Gift
2. Lease
3. Exchange
4. Mortgage

**Correct Answer**: 3. Exchange

**Explanation**: Section 118 defines exchange as the mutual transfer of ownership between two parties.

**Question 12**: What is the maximum period of perpetuity permitted under the Transfer of Property Act?

1. 5 years

2. 18 years
3. 21 years
4. No perpetuity is allowed

**Correct Answer**: 3. 21 years

**Explanation**: Section 14 prohibits transfers that create an interest taking effect after a perpetuity period of 21 years.

**Question 13**: Which section governs the transfer of property by an ostensible owner?

1. Section 40
2. Section 41
3. Section 43
4. Section 45

**Correct Answer**: 2. Section 41

**Explanation**: Section 41 allows an ostensible owner to transfer property if the transferee acts in good faith and without negligence.

**Question 14**: Which of the following is *not* a necessary condition for a valid sale of immovable property?

1. Agreement between parties
2. Payment of consideration
3. Registration of the sale deed
4. Delivery of possession

**Correct Answer**: 4. Delivery of possession

**Explanation**: Delivery of possession is not mandatory; transfer of ownership is complete upon registration (Section 54).

**Question 15**: The doctrine of part performance is provided under which section?

1. Section 45
2. Section 53A
3. Section 54

4. Section 55

**Correct Answer**: 2. Section 53A

**Explanation**: Section 53A protects transferees who take possession under an agreement to transfer even if the transfer is not registered.

**Question 16**: A transfer of property for the benefit of an unborn person must satisfy which condition?

1. Absolute interest must be transferred.
2. Property must vest in the living person first.
3. Both (1) and (2).
4. None of the above.

**Correct Answer**: 3. Both (1) and (2).

**Explanation**: As per Section 13, interest must vest in a living person first, and the unborn person must receive absolute interest.

**Question 17**: Which of the following is not a valid mortgage?

1. Simple mortgage
2. Usufructuary mortgage
3. Conditional mortgage
4. Anomalous mortgage

**Correct Answer**: 3. Conditional mortgage

**Explanation**: The term “conditional mortgage” is not used in the Act. Mortgages are categorized under Section 58.

**Question 18**: Which type of transfer involves delivery of possession to complete the transfer?

1. Sale
2. Lease
3. Gift of movable property
4. Mortgage by title deed

**Correct Answer**: 3. Gift of movable property

**Explanation**: For movable property, physical delivery is required under Section 123 if no written instrument exists.

**Question 19**: What is the limitation period for redemption of a mortgage under the Limitation Act?

1. 12 years
2. 15 years
3. 30 years
4. 60 years

**Correct Answer**: 3. 30 years

**Explanation**: Mortgages can be redeemed within 30 years from the date of execution under the Limitation Act.

**Question 20**: The principle “nemo dat quod non habet” is directly applied in which situation under the Transfer of Property Act?

1. Fraudulent transfer
2. Transfer by unauthorized agent
3. Transfer by ostensible owner
4. Both (1) and (2)

**Correct Answer**: 4. Both (1) and (2)

**Explanation**: This principle means one cannot transfer a better title than they possess, applicable to fraudulent transfers and unauthorized agents.

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