BLOGS

Passage Based Questions on Transfer of Property Act, 1882

Adtiya Aryan · 11 Apr 2026

Since the application is under Art. 32 of the Constitution, the petitioner must make out that there has been an infringement of some fundamental right claimed by her. The petitioner's grievance is that the offending order has infringed her fundamental right under Art. 19(1)(f) and 19(1)(g). She claims to have derived the fundamental rights, which are alleged to have been infringed, from a document dated April 26, 1948, whereby her husband Shri Balirambhau Doye, the proprietor of certain forests in eight several Tehsils, granted to her the right to take and appropriate all kinds of wood-Building wood, fuel wood and bamboos, etc.-from the said forests for a period from the date of the document up to December 26, 1960. The terms of the document have been sufficiently set out in the judgment to be presently delivered by Bose J. and need not be set out here. The petitioner has paid Rs. 26,000 as consideration for the rights granted to her.

The genuineness of this document and the good faith of the parties thereto have not been questioned. The document, however, has not been registered under the Indian Registration Act. The nature of the rights claimed by the petitioner has to be ascertained on a proper interpretation of the aforesaid document. We do not consider it necessary to examine or analyse the document minutely or to finally determine what we may regard as the true meaning and effect thereof, for, as will be presently seen, whatever construction be put on this document, the petitioner cannot complain of the breach of any of her fundamental rights."

Judgement Excerpt from Shantabai .V. State of Bombay and Ors 1958 AIR 532

1. Which of the following judge was among the panel of judges who gave the judgment of Shantabai .V. State of Bombay and Ors ?

a) Justice Sudhi Ranjan Das

b) Justice Pinaki Chandra Ghose

c) Justice Abdul Nazeer

d) Justice Krishna Iyer

2) How many judges did the panel of the Supreme Court comprised while delivering the judgement in the above mentioned case?

a) 2 judge bench

b) 3 judge bench

c) 5 judge bench

d) 7 judge bench

3) What was discussed in the above mentioned case?

a) The right to enter the land and cut the wood for 12 years is the benefit arising out of land and is an immovable property

b) Standing timber is an immovable property

c) All of the Above

d) None of the Above

4) Who gave a dissenting opinion in the above mentioned case?

a) Justice Abdul Nazeer

b) Justice Vivian Bose

c) No dissenting opinion was given in the case

d) Justice Jaswant Singh

5) Which state in 1951 abolished the proprietary rights and transferred all such rights to the state?

a) Uttar Pradesh

b) Maharashtra

c) Madhya Pradesh

d) Rajasthan

6) Which articles of the Constitution of India were mentioned by the petitioner in the writ petition in the above mentioned case?

a) Article 19 (1) (f)

b) Article 19 (1) (g)

c) All of the Above

d) None of the Above

7) Which of the following issues were raised in the above mentioned case?'

a) Whether the proprietary rights of the petitioner were violated?

b) Whether the fundamental rights of the petitioner were violated?

c) All of the Above

d) None of the Above

8) Which of the following cases was referred to in the above mentioned case?

a) Chhotabhai Jethabhai Patel .V. State of Madhya Pradesh

b) Anand Behera .V. State of Orissa

c) Mulamchand .V. State of Madhya Pradesh

d) Thakur Krishna Singh .V. Arun Kumar

9) Which act is known as the law of laws as it creates interpretation for several acts?

a) Constitution of India

b) Laws of Natural Justice

c) General Clauses Act, 1977

d) Law of Contracts

10) In which case it was held that fisheries are immovable property under Transfer of Property Act, 1882?

a) Chhotabhai Jethabhai Patel .V. State of Madhya Pradesh

b) Anand Behera .V. State of Orissa

c) Mulamchand .V. State of Madhya Pradesh

d) Thakur Krishna Singh .V. Arun Kumar

11) What was decided by the majority bench in the above mentioned case?

a) They considered the case and the document attached as profit -a- prendre

b) Standing timber is an immovable property

c) All of the Above

d) None of the Above

12) What properties are mentioned as immovable property under the General Clauses Act under section 3(26)?

a) Things attached to earth

b) Land

c) Benefits arising out of land

d) All of the Above

13) Whether there is any rule to register movable property under registration act?

a) Yes

b) No

c) Depends upon the value of the property

d) Depends on the discretion of the person

14) Whether there is any rule to register a transaction pertaining to immovable property?

a) Yes

b) No

c) Depends upon the value of the property

d) Depends on the discretion of the person

15) Which of the following sections of Transfer of Property Act, 1882 has been elaborated in the above mentioned case?

a) Section 3

b) Section 4

c) Section 5

d) Section 6

Answers

1. Option a
2. Option c
3. Option c
4. Option b
5. Option c
6. Option c
7. Option c
8. Option a
9. Option c
10. Option b
11. Option c

12. Option d
13. Option b
14. Option a
15. Option a