BLOGS

Questions on Transfer of Property Act for CLAT 2026

Ruchika Mohapatra · 21 May 2025

1. Which of the following properties cannot be transferred under the Transfer of Property Act, 1882?

A) A right to sue

B) An actionable claim

C) A vested interest in property

D) A leasehold property

Correct Answer: A) A right to sue

Explanation: Section 6 of the Transfer of Property Act, 1882, provides that certain kinds of property cannot be transferred. A right to sue is one such property that cannot be transferred because it is a personal right and is not an assignable interest. In contrast, actionable claims (such as debt or claims under a contract) can be transferred.

2. Which of the following is an essential requirement for a valid transfer of property under the Transfer of Property Act, 1882?

A) The property must be tangible only

B) The transferor and transferee must be competent to contract

C) The property must be immovable

D) The transfer must be made only by a registered instrument

Correct Answer: B) The transferor and transferee must be competent to contract

Explanation: According to Section 7 of the Transfer of Property Act, a person must be competent to contract to make a valid transfer. This means the person must be of sound mind, major in age, and legally capable of holding and transferring property. A transfer may involve both movable and immovable property, and not all transfers require registration.

3. Under the Transfer of Property Act, when does a transfer of property become effective?

A) As soon as the parties agree to transfer the property
B) When possession of the property is handed over
C) When the transfer is executed and registered, if required
D) When consideration for the transfer is paid

Correct Answer: C) When the transfer is executed and registered, if required

Explanation: As per Section 54, for immovable property valued at Rs. 100 or more, the transfer must be executed through a registered instrument. If a document is required to be registered under law but is not registered, the transfer is not effective. For movable property, a transfer may take effect upon delivery of possession.

4. Which of the following is not a mode of transfer recognized under the Transfer of Property Act?

A) Sale
B) Mortgage
C) Bequest
D) Lease

Correct Answer: C) Bequest

Explanation: A bequest (transfer by will) is not covered under the Transfer of Property Act, 1882. Instead, it falls under The Indian Succession Act, 1925. The five recognized modes of transfer under the Act are sale, mortgage, lease, gift, and exchange.

5. Which of the following mortgages does not require delivery of possession?

A) Simple mortgage
B) Usufructuary mortgage
C) English mortgage
D) Mortgage by deposit of title deeds

Correct Answer: A) Simple mortgage

Explanation: Under Section 58(b), in a simple mortgage, the mortgagor does not deliver possession but binds himself personally to pay the debt. If he fails to do so, the mortgagee has the

right to sell the property through a court decree. In contrast, usufructuary mortgages involve delivery of possession to the mortgagee.

6. Which section of the Transfer of Property Act deals with the doctrine of "Lis Pendens"?

A) Section 41
B) Section 52
C) Section 53A
D) Section 56

Correct Answer: B) Section 52

Explanation: The doctrine of Lis Pendens (pending litigation) is provided under Section 52. It states that during the pendency of a legal dispute relating to immovable property, the property cannot be transferred or otherwise dealt with in a way that affects the rights of any party to the litigation. This doctrine prevents third-party transactions that could defeat the outcome of a pending suit.

7. Which of the following is true regarding a gift under the Transfer of Property Act?

A) A gift can be revoked at the will of the donor
B) A gift must always be for consideration
C) A gift must be accepted during the donor's lifetime
D) A gift must be registered only if the value is above Rs. 100

Correct Answer: C) A gift must be accepted during the donor's lifetime

Explanation: According to Section 122, a gift is a voluntary transfer of property without consideration. It is essential that the donee accepts the gift during the donor's lifetime. If acceptance is not made while the donor is alive, the gift becomes void. Additionally, for immovable property, a gift must be made by a registered instrument, regardless of value.

8. Under the Transfer of Property Act, when can a transfer be set aside on the ground of fraudulent transfer?

A) When the transfer is made to defeat creditors
B) When the transfer is made without registration
C) When the transfer is made under undue influence

D) When the transferor is an insolvent person

Correct Answer: A) When the transfer is made to defeat creditors

Explanation: Under Section 53, if a transfer of property is made fraudulently to defeat creditors, it can be set aside at the instance of those creditors. However, if the transferee acted in good faith and for consideration, the transfer remains valid.

9. Which of the following cases is related to the doctrine of part performance under the Transfer of Property Act?

A) K. Balakrishna v. B. Ranganathan
B) Sita Ram v. Radha Bai
C) Ariff v. Jadunath Majumdar
D) M.C. Chacko v. State Bank of Travancore

Correct Answer: C) Ariff v. Jadunath Majumdar

Explanation: The doctrine of part performance is provided under Section 53A, which states that if a transferee has taken possession of property and performed obligations under an unregistered agreement, the transferor cannot evict him. The Ariff v. Jadunath Majumdar case affirmed this principle.

10. Which of the following types of interests in property is transferable?

A) Right to future maintenance
B) Right of re-entry
C) Right to an easement
D) Right to receive rent

Correct Answer: D) Right to receive rent

Explanation: Under Section 6, certain interests cannot be transferred, including a right to future maintenance, right of re-entry, and easement rights. However, the right to receive rent is transferable since it constitutes a beneficial interest in property.