BLOGS

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

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1. Which of the following is *not* an actionable claim under the Transfer of Property Act?

a. Right to receive a debt

b. Right to future maintenance

c. Right to sue for damages

d. Right to mortgage money

Correct answer: c

Explanation: A mere right to sue is not transferable and not considered an actionable claim under Section 3 of the Act.

2. Which section bars transfer of property to an unborn person directly?

a. Section 4

b. Section 5

c. Section 6

d. Section 13

Correct answer: d

Explanation: Section 13 lays down that a transfer cannot be made directly to an unborn person unless a prior interest is created in favor of a living person.

3. In a usufructuary mortgage:

a. Ownership transfers to the mortgagee

b. Possession is retained by the mortgagor

c. Possession is transferred to the mortgagee

d. Only symbolic possession is transferred

Correct answer: c

Explanation: In usufructuary mortgage, the possession is delivered to the mortgagee, who enjoys the income until repayment.

4. The rule against perpetuity under the Act is aimed at:

a. Prohibiting transfer for consideration
b. Preventing accumulation of wealth
c. Ensuring free transferability of property
d. Limiting lease duration

Correct answer: c
Explanation: The rule ensures that property isn't tied up indefinitely and remains transferable after a lifetime plus 18 years (Section 14).

5. Which of the following transfers is void under Section 6?

a. Transfer of a business
b. Transfer of a house under mortgage
c. Transfer of right of re-entry
d. Transfer of leasehold rights

Correct answer: c
Explanation: A right of re-entry is a personal right and cannot be transferred except to the owner of the property affected.

6. Where no time is specified for performance, a transfer must be completed within:

a. A reasonable time
b. Six months
c. One year
d. Thirty days

Correct answer: a
Explanation: In absence of a specific time, law presumes a reasonable time depending on the circumstances.

7. Which of the following is *not* a kind of mortgage under Section 58?

a. English mortgage

b. Equitable mortgage

c. Simple mortgage

d. Leasehold mortgage

Correct answer: d

Explanation: Leasehold mortgage is not a statutory type. Equitable, simple, English, usufructuary, conditional sale, and anomalous mortgages are defined.

8. Transfer for the benefit of an unborn child must:

a. Be made directly

b. Create interest simultaneously for a living person

c. Create prior interest for a living person

d. Have consent of legal guardian

Correct answer: c

Explanation: Section 13 states that property can be transferred for the benefit of an unborn person only if an interest is first created for a living person until birth.

9. Under Section 52, during pendency of a suit, property involved cannot be transferred due to:

a. Doctrine of part performance

b. Doctrine of lis pendens

c. Doctrine of priority

d. Doctrine of estoppel

Correct answer: b

Explanation: Lis pendens prevents the subject matter of a suit from being transferred while litigation is pending.

10. What is the minimum requirement for valid registration of an immovable property gift?

a. Oral agreement

b. Writing with attestation by two witnesses

c. Writing and possession

d. Nomination in will

Correct answer: b

Explanation: Section 123 requires the gift of immovable property to be by a registered instrument, attested by at least two witnesses.