

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.