BLOGS

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

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

a. Sale

b. Exchange

c. Inheritance

d. Gift

Correct answer: c

Explanation: Inheritance is governed by succession laws, not by the Transfer of Property Act, which deals with transfers by act of parties.

2. What does the doctrine of election under Section 35 imply?

a. A person must accept or reject a conflicting benefit and burden

b. The beneficiary must register the property

c. Both donor and donee must consent

d. A lease must be registered before effect

Correct answer: a

Explanation: Under Section 35, a person who accepts a benefit under a document must also bear the associated burden or forgo the benefit.

3. A mortgage becomes enforceable against a third party when:

a. It is signed before a notary

b. It is delivered to the bank

c. It is registered

d. It is entered in a rent receipt

Correct answer: c

Explanation: Section 59 mandates registration of mortgage deeds to make them enforceable against third parties.

4. When can a gift be suspended or revoked?

a. If possession is not delivered

b. If gift deed is unregistered

c. If donor and donee agree upon a condition

d. Never

Correct answer: c

Explanation: Section 126 allows for revocation if such a condition is expressly stated and accepted by both parties.

5. Which of the following transfers is not void under Section 6?

a. Future property

b. Transfer of spes successionis

c. Transfer of right to sue

d. Lease of a house

Correct answer: d

Explanation: The lease of a house is a valid transfer, while the others are explicitly restricted under Section 6.

6. In a simple mortgage, the mortgagor:

a. Transfers possession

b. Transfers ownership

c. Personally binds himself to repay

d. Transfers usufruct

Correct answer: c

Explanation: Section 58(b) defines simple mortgage where the mortgagor personally binds himself to repay the loan without giving up possession.

7. The interest created in favor of an unborn person is:

a. Contingent

b. Vested

c. Absolute

d. Presumptive

Correct answer: a

Explanation: Since the existence of the unborn person is uncertain at the time of transfer, the interest is contingent upon their birth.

8. Under the doctrine of lis pendens, a transfer made during the pendency of a suit is:

a. Illegal

b. Void ab initio

c. Not binding on the transferee

d. Voidable

Correct answer: c

Explanation: As per Section 52, a transfer during litigation remains subject to the outcome of the suit and is not binding on the transferee.

9. Which of the following does *not* require consideration?

a. Sale

b. Mortgage

c. Gift

d. Lease

Correct answer: c

Explanation: A gift is a voluntary transfer without consideration under Section 122.

10. The transfer of a mortgagee's interest to another person is called:

a. Redemption

b. Subrogation

c. Assignment

d. Hypothecation

Correct answer: c

Explanation: Assignment is the legal term for transferring rights or interest from one party to another.