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KNU/2022/ LLBHC206
UG 2nd Semester Examination- 2022
Award: LLB(HONS)
Discipline: LAW
Course Type: CORE
Course Code: LLBHC206

Course Name: Property Law including TPA and Easement

Full Marks: 80

Time: 4hrs

Group- A

Answer any Ten Questions

(1X10=10)

1. Term transfer of property is defined under which section?

- A. 4 of the Transfer of Property Act, 1882
- B. 5 of the Transfer of Property Act, 1882
- C. 6 of the Transfer of Property Act, 1882
- D. None of the above

2. Meaning of term ostensible owner is?

- A. Apparent owner
- B. A person who has the authority on the face of record (prime-facie)
- C. Both A & B
- D. None of the above

3. Ostensible owner is?

- A. not real owner
- B. real owner
- C. both A & B
- D. none of above

4. Which of the following doesn't fall under the scope of Transfer of Property Act 1882?

- A. Transfer of property by gift
- B. Transfer of property by will
- C. Transfer of property to an unborn child
- D. Transfer of property by exchange

5. Which rule is correct with regards to transfer of property to an unborn child?

- A. there can be no transfer to an unborn child
- B. Transfer can be made to an unborn child of future property only
- C. Transfer to an unborn child must include complete remaining interest of the transferor of the property
- D. Only life interest can be created in favour of the unborn child

6. Every transfer of immoveable property made with intent to defeat or delay the creditors of the transferor.

- A. Shall be void
- B. Shall be voidable at the option of the creditor so delayed
- C. shall be valid as long as the main transaction is valid
- D. shall not be registrable.

7. Which of the following Easementary right is a continuous Easement?

- A. A has a right to way on B's land to reach his house
- B. A has right to support to the wall of his house from B's wall
- C. A has right to air
- D. A has right to park car on B's land

8. In which kind of mortgage is the possession delivered

- A. English Mortgage
- B. Usufurctary Mortgage



VII. The maxim „de minimus non curatlex’ relates to-

- a. Slight harm
- b. Trifles
- c. Exhibition of disrespect
- d. Annoyance

VIII. „B’ a married man commits sex with ‘C’ a girl child of 16 years with her consent. What offence „B’ has committed?

- a. Adultery
- b. Rape
- c. Sexual outraging
- d. No offence.

IX. Fill in the gap:

A disability for _____ days constitutes grievous hurt.

- a. A week
- b. A fortnight
- c. A month
- d. A minimum of 20days.

X. The essential ingredients of crime are -

- a. Motive, mens rea and actus reus
- b. Motive, intention and knowledge
- c. Actus reus and mens rea
- d. Knowledge, intention and action

XI. Section 82 IPC provides that nothing is an offence which is done by a child under-

- a. 6 years of age
- b. 7 years of age
- c. 8 years of age
- d. 12 years of age.

XII. The right of private defence is available with respect to-

- a. Harm to body
- b. Harm to movable property
- c. Harm to immovable property
- d. All the above.

XIII. Section 511 does not apply in case of-

- a. Attempt to riot
- b. Attempt to murder
- c. Attempt to theft
- d. Attempt to affray.

XIV. „Public servant’ has been defined under which section of IPC, 1860.

- a. 11
- b. 45
- c. 7
- d. 21.

XV. Indian Penal Code (Act No. 45 of 1860) has been enacted on-

- a. 1 June, 1860
- b. 1 Jan, 1862 :





- c. 6 Oct. 1860
- d. 1 Jan. 1861.

17. Common intention means-
- a. Similar intention
 - b. Same intention
 - c. Sharing of intention by all persons
 - d. Common plans.

GROUP-B

2. Answer any ten questions

10X2=20

- i. Define common intention.
- ii. When can an accident be taken as a defence under a general exception?
- iii. Mention the criminal liability of an infant and an insane person.
- iv. Write short notes on Volenti non-fit injuria under IPC.
- v. Distinguish between hurt and grievous hurt.
- vi. When the modesty of a woman is outraged as per Section 354 of IPC?
- vii. Can the offence of kidnapping be committed in respect of a major person? Explain.
- viii. Distinguish between culpable homicide and murder.
- ix. Can a man commit theft of his own goods? Answer with illustrations.
- x. What are the ingredients of the offence of 'theft' as defined in the IPC?
- xi. Can a person be held guilty of the rape of his own wife? Explain.
- xii. When theft is robbery?
- xiii. Explain non-compos mentis.
- xiv. Define Voyeurism.
- xv. When the accused will be convicted for wrongful confinement?
- xvi. What do you understand by an unlawful assembly?

3. Answer any six :

GROUP-C

- i. Distinguish between 'criminal force' and 'assault'.
- ii. Distinguish between 'wrongful restraint' and 'wrongful confinement'.
- iii. Distinguish between 'common intention' and 'common object'.
- iv. Distinguish between 'theft' and 'dacoity'.
- v. Distinguish between 'mistake of law' and 'mistake of fact'.
- vi. What are the offences relating to "Marriage" under Section 493 - 498-A of the Indian Penal Code?
- vii. Discuss the liability of the abettor when one act is abetted and a different act is done?
- viii. Write a short note on "Bigamy". State the exception if any.
- ix. Decide the liability of 'A' - 'A' with the intention to kill 'B' gives him a poisoned apple, but 'B' passes it to 'C' a child who eats and dies.
- x. Discuss the ingredients of the offence of Abetment of Suicide.