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Law Mixed Questions for IBPS SO Law

IBPS SO LAW MIXED QUIZ 5

Direction: Study the following question carefully and choose the right answer carefully.

1. Under the provisions of section 6 of the Transfer of Property Act, 1882, no transfer can be made for an unlawful object or consideration within the meaning of section 23 of the Indian Contract Act, 1872

- A. the statement is false
B. the statement is true
C. the statement is partly true
D. none of the above

2. Under section 8 of the Transfer of Property Act, 1882 the legal incidents also includes –

- A. machinery attached to earth and the moveable parts thereof
B. only machinery attached to earth
C. only moveable parts of the machinery attached to earth
D. none of the above

3. Under the provisions of section 9 of the Transfer of Property Act, 1882 the transfer includes –

- A. additional oral transfer
B. written transfer only
C. only A is correct
D. only B is correct.

4. A person is not put to his election, unless he has a proprietary interest in the property disposed off in derogation of his rights. This is the subject matter under provisions of:

- A. section 35 of the Transfer of Property Act, 1882
B. section 35 of the Indian Registration Act, 1908
C. section 35 of the Indian Succession Act, 1925
D. General Clauses Act, 1897

5. Provisions of section 12 of the Transfer of Property Act, 1882

- A. does not apply to lease condition in the benefit of the lessor
- B. does apply to a condition in a lease for the benefit of lessor
- C. no such condition is made under such provision
- D. none of the above.

6. The rules against the perpetuity is provided in section of the Transfer of Property Act, 1882

- A. 14
- B. 15
- C. 16
- D. 17

7. Under the provisions of section 18 of the Transfer of Property Act, 1882, the provisions of some sections shall not apply in case of a transfer of property for the benefit of the public in the advancement of religion, knowledge, commerce, health, safety or any other object beneficial to mankind. These sections are:

- A. 13, 14, 15 and 16
- B. 14, 16 and 17
- C. 14, 16, 17 and 18
- D. 14, 15 and 20

8. The provision of vested interest is provided in:

- A. section 18 of the Transfer of Property Act, 1882
- B. section 19 of the Transfer of Property Act, 1882
- C. section 20 of the Transfer of Property Act, 1882
- D. section 21 of the Transfer of Property Act, 1882.

9. Under the provisions of the Transfer of Property Act, 1882, the unborn person acquires vested interest on transfer for his benefit:

- A. upon his birth
- B. 7 days after his birth
- C. 12 days after his birth
- D. no such provision is made in the Act.

10. The provision of contingent interest is provided in:

- A. section 20 of the Transfer of Property Act, 1882
- B. section 21 of the Transfer of Property Act, 1882
- C. section 22 of the Transfer of Property Act, 1882
- D. section 23 of the Transfer of Property Act, 1882



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Correct answers:

1	2	3	4	5	6	7	8	9	10
A	A	A	A	A	A	A	B	A	B

Explanation:

1. Section 6 of TOPA states that –

No transfer can be made (1) in so far as it is opposed to the nature of the interest affected thereby, or for an unlawful object or consideration within the meaning of section 23 of the Indian Contract Act, 1872 [(9 of 1872)].

Smart tip: This section is Important for IBPS SO LAW OFFICER MAINS TEST 2019. Will ask Questions from TOPA in our COMBO- IBPS SO LAW TEST SERIES 2019.

Hence, option A is correct.

- 2.** Unless a different intention is expressed or necessarily implied, a transfer of property passes forthwith to the transferee all the interest which the transferor is then capable of passing in the property and in the legal incidents thereof. Such incidents include, where the property is land, the easements annexed thereto, the rents and profits thereof accruing after the transfer, and all things attached to the earth; and, where the property is machinery attached to the earth, the moveable parts thereof.

Smart tip: This section is Important for IBPS SO LAW OFFICER MAINS TEST 2019. Will ask Questions from TOPA in our COMBO- IBPS SO LAW TEST SERIES 2019.

Hence, option A is correct.

- 3.** Section 9 states that in Oral transfer a transfer of property may be made without writing in every case in which a writing is not expressly required by law.

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Hence, option A is correct.

4. The doctrine of election is stated in Sec. 35 of the Transfer of Property Act alongside Section 180 to 190 of the Indian Succession Act. It states that when a party transfers a property over which he does not hold any right of transfer and entailed in that transaction is the benefit conferred upon the original owner of the property, such title-holder must elect his option to either validate such transfer of property or reject it; upon rejection, the benefit shall be relinquished back to the transferor subject nevertheless :“Where the transfer has been through gratuitous means and the transferor has become incapable of making a new transfer. Secondly, in all cases where the transfer is for consideration”.

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Hence, option A is correct.

5. Section 12 in The Transfer of Property Act, 1882 states that condition making interest determinable on insolvency or attempted alienation. —Where property is transferred subject to a condition or limitation making any interest therein, reserved or given to or for the benefit of any person, to cease on his becoming insolvent or endeavouring to transfer or dispose of the same, such condition or limitation is void. Nothing in this section applies to a condition in a lease for the benefit of the lessor or those claiming under him.

Hence, option A is correct.

6. Rule against perpetuity has been dealt under section 14 of Transfer of Property Act, 1882. Perpetuity simply means “indefinite Period”, so this rule is against a transfer which makes a property inalienable for an indefinite period.

Hence, option A is correct.

7. Section 18 of TOPA -- Transfer in perpetuity for benefit of public---The restrictions in sections 14, 16 and 17 shall not apply in the case of a transfer of property for the benefit of the public in the advancement of religion, knowledge, commerce, health, safety or any other object beneficial to mankind.

Hence, option A is correct.

8. Vested Interest (Section 19)

Where, on a transfer of property, an interest therein is created in favour of a person without specifying the Time when it is to take effect, or in terms specifying

that it is to take effect forthwith or on the Happening of an Event which Must Happen (Bound to Happen), such Interest is Vested, unless a Contrary Intention appears from the terms of the transfer.

This section is Important for IBPS SO LAW OFFICER MAINS TEST 2019. Will ask Questions from TOPA in our COMBO- IBPS SO LAW TEST SERIES 2019.

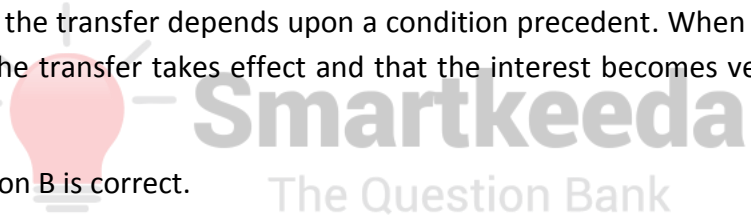
Hence, option B is correct.

9. As soon as the unborn child takes birth, the property rights immediately gets transferred in his/her name. Post which he or she will be the sole owner of the property.

Hence, option A is correct.

10. The Transfer of Property Act deals with two kinds of interest vested interest and contingent interest. Vested interest is to be distinguished from contingent interest. When an interest is vested, the transfer is complete but when the interest is contingent, the transfer depends upon a condition precedent. When the condition is fulfilled the transfer takes effect and that the interest becomes vested. Section 21 of TOPA.

Hence, option B is correct.



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