

<b>COURSE TITLE</b>	<b>PROPERTY LAW</b>
<b>COURSE CODE</b>	<b>10FL1605</b>
<b>COURSE CREDITS</b>	<b>4</b>

**Objective:**

- 1 To empower the students of law with theoretical as well as practical knowledge of property matters and its transfer vis a vis its importance in family disputes.
- 2 To be familiar with the provisions of the Transfer of Property Act and how there have been judicial precedents in this regard.

**Course Outcomes:** After completion of this course, student will be able to:

- 1 Define the various kinds of properties.
- 2 Describe the principles of transfer of property applicable to both movable and immovable properties.
- 3 Identify the principles applicable to the Transfer of Immovable Property
- 4 Relate the provisions of Sale and Mortgage.
- 5 Relate the provisions of Charge and lease.
- 6 Interpret provisions of Gift and Actionable Claim.

**Pre-requisite of course:**Contract Law

**Teaching and Examination Scheme**

<b>Theory Hours</b>	<b>Tutorial Hours</b>	<b>Practical Hours</b>	<b>ESE</b>	<b>IA</b>	<b>CSE</b>	<b>Viva</b>	<b>Term Work</b>
3	1	0	50	30	20	0	0

<b>Contents : Unit</b>	<b>Topics</b>	<b>Contact Hours</b>
1	<b>Introduction</b> Concept and meaning of property - new property., Classification of Property: Moveable & Immoveable Property, Tangible/Intangible (like Intellectual Properties), Instrument, Attestation, Registration, Actionable claim, Notice, Differences between actionable claims and Negotiable Instruments, Notice	5

<b>Contents : Unit</b>	<b>Topics</b>	<b>Contact Hours</b>
2	<b>General Principles and Modes of Transfer</b> Transferability and nontransferability of Property, Modes of Transfer - Oral, Conditional, Conditional Transfer, Restrictions on Alienation of Property, Restrictions on Enjoyment of Property, Transfer to Unborn Person, Future Transfer, Transfer for the benefit of unborn persons Rule against perpetuity), Class gift Transfer in perpetuity for the benefit of the public, Vested and Contingent Interests, Transfers with Conditions, Doctrine of Election, Apportionment of property, Transfer by Ostensible Owner, Feeding the Grant by Estoppel, Doctrine of Lis Pendens, Concept of Fraudulent Transfer, Doctrine of Part Performance	12
3	<b>Sale and Mortgage of Immovable Property</b> Sale of Immovable Property ð Meaning and Essentials, Rights and Liabilities of Buyer and Seller, Marshaling by Subsequent Purchaser, Mortgage ð Meaning, Essentials, and Kinds of Mortgage, Rights of Mortgagor, Rights of Mortgagee, Right of a Mortgagee against other Mortgagees, he Doctrine of Marshalling and Contribution, Redemption of Mortgage, Clog on redemption, Right to Foreclosure, Doctrine of Subrogation	8
4	<b>Charge and Lease</b> Charge -Meaning and Essentials, Lease ð Lease & License, Duration of Lease, Tenancy at will, Tenancy by sufferance, Tenancy by holding over, Determination of lease, Waiver, Relief against forfeiture for nonpayment of rent and effect of Surrender, Exemption for agricultural purposes	5
5	<b>Gift and Actionable Claim</b> Gift ð Meaning and Essentials of Gift, Kinds & Modes of Making Gifts, Revocation of Gift, Donatio Mortis Causa, Exchange, Actionable Claim ð Meaning, Transfer	5
6	<b>Allied Laws</b> Real Estate (Regulation and Development) Act, 2016, Imposition, Acquisition, and Transfer of Easement, The Incidents of Easement, The Disturbance of Easement, The Extinction, Suspension, and Revival of Easement, Sections 17 and 49 of the Registration Act, 1908, An Overview of “Gujarat Prohibition of Transfer of Immovable Property and Provisions of Tenants from Eviction from Premises in Disturbed Areas Act, 1991	10
<b>Total Hours</b>		<b>45</b>

#### **Suggested List of Experiments:**

<b>Contents : Unit</b>	<b>Topics</b>	<b>Contact Hours</b>
1	<b>issues related to Property Law</b> issues related to Property Law	15
<b>Total Hours</b>		<b>15</b>

**Textbook :**

- 1 Property Law, Poonam Pradhan Saxena, LexisNexis, 2017

**References:**

- 1 Transfer of Property Act, Transfer of Property Act, Mulla, Universal, Delhi., 1999

**Suggested Theory Distribution:**

The suggested theory distribution as per Bloom's taxonomy is as follows. This distribution serves as guidelines for teachers and students to achieve effective teaching-learning process

Distribution of Theory for course delivery					
<b>Remember / Knowledge</b>	<b>Understand</b>	<b>Apply</b>	<b>Analyze</b>	<b>Evaluate</b>	<b>Higher order Thinking / Creative</b>
10.00	10.00	30.00	10.00	20.00	20.00