



Model Institute of Engineering  
& Technology (Autonomous)  
Course Handout

Kot Bhalwal, Jammu

## COURSE HANDOUT

PROPERTY LAW (BBALLB-502)

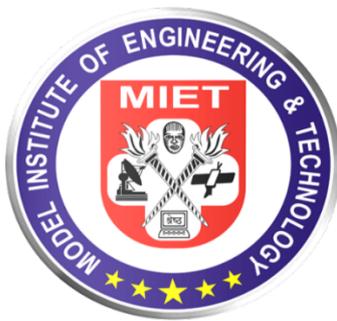
BBALLB-5<sup>TH</sup> SEMESTER

ACADEMIC YEAR (2024-25)

**Mr. Bhanu Partap Singh Sambyal**

Assistant Professor

School of Law



School of Law

Model Institute of Engineering & Technology (Autonomous)

Kot Bhalwal, Jammu - 181122

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Dr. Arun K. Gupta Teaching-Learning Centre

Version 1.1



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Course Code	Course Name	Course Type	Cd	L	T	P	Marks		
							Sessional	Final Exam	Total
BBALLB-502	Property Law	Generic Core	4	4	0	0	30	70	100

### COURSE OUTCOMES

At the end of the course the student will be able to:	
CO1	Describe the scope and ambit of the property laws in India.
CO2	Discuss the clauses relating to the transfer of property by act of parties.
CO3	Analyse the clauses relating to the transfer of immovable property.
CO4	Compare significant legal provisions related to various forms of transfer of property.
CO5	Examine the provisions pertaining to the Easement Act.

#### Unit-I Introduction to Property Law

- 1.1 Concept of Property
- 1.2 Movable and Immovable Property
- 1.3 Objectives of TP Act
- 1.4 Interpretation Clause (Section 3)
- 1.5 Relation to Contract and Registration

(8 Hours)

#### Unit-II Transfer of Property by Act of Parties

- 2.1 Definition of Transfer of Property (Section 5)
- 2.2 Subject Matter and Persons Competent to Transfer (Sections 6 and 7)
- 2.3 Operation of Transfer and Conditions Restraining Alienation (Section 8-10)
- 2.4 Transfer for Benefit of Unborn and Transfer for the Benefit of Public in Perpetuity (Sections 13 and 18)
- 2.5 Conditional Transfer (Sections 25-34)

(12 Hours)

#### Unit-III Transfer of Immovable Property

- 3.1 Transfer by Authorised Person (Section 38)
- 3.2 Transfer for Maintenance (Section 39)
- 3.3 Transfer by Ostensible Owner and Transfer by Unauthorized Persons & Co-owners (Sections 41, 43 & 44)
- 3.4 Transfer of Property Pending Suit (Section 52)
- 3.5 Fraudulent Transfer (Section 53)

(8 Hours)

#### Unit-IV Specific Transfers

- 4.1 Sale - Essentials, Mode of Sale, Rights and Liabilities of Parties (Sections 54-57)
- 4.2 Mortgage – Definition, Essentials, Kinds, Rights and Liabilities of Mortgagor and Mortgagee (Sections 58-76)
- 4.3 Lease – Essentials, Kinds, Rights and Liabilities of Lesser and Lessee, Termination of Lease (Sections 105-117)
- 4.4 Gift – Definition, Essentials, Types, Registration (Sections 122-129)
- 4.5 Deed – Meaning, Essentials and Types

(12 Hours)

#### Unit-V Easement Act

- 5.1 Easement – Meaning and Essentials
- 5.2 Dominant and Servient Heritage
- 5.3 Modes of Acquisition of Easement and Imposition of Easements
- 5.4 Kinds of Easements
- 5.5 Suspension of Easements

(08 Hours)



#### Textbooks

S.No	Name of the Books	Name of the Author	Publisher Name	Edition (Pub.Yr.)
1	The Transfer of Property Act	G.P. Tripathi	Central Law Publications	20 <sup>th</sup> (2024)
2	Transfer of Property Act	S.N. Shukla	Allahabad Law Agency	30 <sup>th</sup> (2020)

#### Reference Books

S.No	Name of the Books	Name of the Author	Publisher Name	Edition (Pub.Yr.)
1	The Transfer of Property Act	Sir Dinshaw Fardunji Mulla	LexisNexis	14 <sup>th</sup> (2023)
2	Commentary on the Transfer of Property Act	Justice M.L. Singhal	Vinod Publications	2 <sup>nd</sup> (2023)

#### COURSE PLAN

Unit-I Introduction to Property Law		
S.No	Topics	Recommended Books
1	Concept of Property	Book 1, Pg. 1-4
2	Movable and Immovable Property	Book 1, Pg. 5-7
3	Objectives of TP Act	Book 1, Ch.1
4	Interpretation Clause (Section 3)	Book 1, Ch.1
5	Relation to Contract and Registration	Book 1, Ch.1
Unit-II Transfer of Property by Act of Parties		
6	Definition of Transfer of Property (Section 5)	Book 1, Ch.2
7	Subject Matter and Persons Competent to Transfer (Sections 6 and 7)	Book 1, Ch.2
8	Operation of Transfer and Conditions Restraining Alienation (Section 8-10)	Book 1, Ch.2
9	Transfer for Benefit of Unborn and Transfer for the Benefit of Public in Perpetuity (Sections 13 and 18)	Book 1, Ch.2
10	Conditional Transfer (Sections 25-34)	Book 1, Ch.2
Unit-III Transfer of Immovable Property		
11	Transfer by Authorised Person (Section 38)	Book 1, Ch.2
12	Transfer for Maintenance (Section 39)	Book 1, Ch.2
13	Transfer by Ostensible Owner and Transfer by Unauthorized Persons and Co-owners (Sections 41, 43 and 44)	Book 1, Ch.2
14	Transfer of Property Pending Suit (Section 52)	Book 1, Ch.2
15	Fraudulent Transfer (Section 53)	Book 1, Ch.2
Unit-IV Specific Transfers		
16	Sale - Essentials, Mode of Sale, Rights and Liabilities of Parties (Sections 54-57)	Book 1, Ch.3
17	Mortgage – Definition, Essentials, Kinds, Rights and Liabilities of Mortgagor and Mortgagee (Sections 58-76)	Book 1, Ch.4
18	Lease – Essentials, Kinds, Rights and Liabilities of Lesser and	Book 1, Ch.5



	Lessee, Termination of Lease (Sections 105-117)	
19	Exchange – Meaning, Rights and Liabilities of Parties	Book 1, Ch.6
20	Gift – Definition, Essentials, Types, Registration (Sections 122-129)	Book 2, Ch.7
<b>Unit-V Easement Act</b>		
21	Easement – Meaning and Essentials	Bare Act
22	Dominant and Servient Heritage	Bare Act
23	Modes of Acquisition of Easement and Imposition of Easements	Bare Act
24	Kinds of Easements	Bare Act
25	Suspension of Easements	Bare Act

#### ADDITIONAL WEB RESOURCES

1.	<b>The Transfer of Property Act, 1882</b> Available at <a href="https://www.indiacode.nic.in/bitstream/123456789/2338/1/A1882-04.pdf">https://www.indiacode.nic.in/bitstream/123456789/2338/1/A1882-04.pdf</a>  <b>The Indian Easements Act, 1882</b> Available at <a href="https://www.indiacode.nic.in/bitstream/123456789/2349/1/A1882-05.pdf">https://www.indiacode.nic.in/bitstream/123456789/2349/1/A1882-05.pdf</a>
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#### GRADING AND ASSESSMENT

- **Sessional Test 1:** 7.5 marks
- **Sessional Test 2:** 7.5 marks
- **Assignment:** 10 marks
- **Attendance:** 5 marks
- **Final Examination:** 70 marks

#### COURSE POLICIES

- **Attendance:** Minimum 75% attendance is mandatory to appear in the final examination of the course.
- **Academic Integrity:** MIET's academic integrity policies apply. Plagiarism will not be tolerated.
- **Late Submissions:** Assignments and projects must be submitted by the specified timelines.

#### FACULTY INFORMATION

- **Office Hours**  
Monday (12:05 PM - 12:55 PM)  
Friday (12:05 PM - 12:55 PM)
- **Contact Information**  
[bhanu.llb@mietjammu.in](mailto:bhanu.llb@mietjammu.in)