

SET 2

1. A fact is relevant
Ans- if it is connected with a fact in issue so as to form part of the same transaction
2. A fact is said to be proved
Ans- if its existence is so probable that a prudent man would accept it as existing
3. Evidence means and includes
Ans- statements of witnesses required to be made before the court
4. Primary evidence of a document means
Ans- Document itself
5. A child born out of valid marriage can be proved to be legitimate child of the husband if it is born within_____ of its dissolution
Ans- 280 days
6. Which of these cannot be lawfully transferred as per Transfer of Property Act, 1882?
Ans- salary of public officer
7. As per Sec.6 of Transfer of Property Act, 1882 an easement _____be transferred apart from the dominant heritage
Ans- Cannot
8. Which of these is immovable property as per the provisions of Transfer of Property Act, 1882?
Ans- Fruit trees
9. The term 'transfer' under the Transfer of Property Act, 1882 , refers to
Ans- Partly or whole transfer & absolute or conditional transfer
10. As per sec. 9 of Transfer of Property Act, 1882 oral transfers are
Ans- Conditionally valid
11. Under the provision of Transfer of Property Act, the unborn child acquires vested interest
Ans- Upon his death
12. The Mortgage, in which without delivering possession of mortgaged property, the mortgagor binds himself personally to pay the mortgage money is known as
Ans- Simple Mortgage
13. The gift of future property is
Ans- void
14. The rule of lisPendens applies when the suit in which right to immovable property
Ans- is pending between two persons and one of them sells property
15. Rule against perpetuity prescribes that
Ans- No transfer of property can operate to create an interest which is to take effect after the lifetime of one or more persons living on the date of such transfer

16. If a contract comprises an agreement to do an act and also not to do certain acts
Ans- Injunction can be granted to compel performance of both or any of them
17. A suit for recovery of possession based on the previous possession of a person can be filed by such a person even against real owner of that property who has dispossessed him
Ans- within six months of his dispossession
18. A suit for specific performance of contract for its enforcement can be decreed when
Ans- there exists no standard for ascertaining the actual damage caused by the non-performance of it.
19. A court may not exercise its discretion to decree specific performance of a contract when
Ans- the contract gives the plaintiff an unfair advantage over the defendant
20. A suit for rescission of contract by any person having interest in it, can be decreed in his favour
Ans- where the contract is voidable at the option of plaintiff
21. No court shall declare that the plaintiff is entitled to a right
Ans- if he is able to seek further relief than mere declaration but omits to do so.
22. A perpetual injunction is granted to the plaintiff
Ans- to prevent the breach of an obligation existing in his favour.
23. In a suit for perpetual or mandatory injunction
Ans- plaintiff can be granted damages if claimed specifically by him
24. In a suit for specific performance of a contract where earnest money is paid by the plaintiff
Ans- it can be refunded only if it is specifically claimed
25. To claim specific performance of a contract, it is
Ans- necessary to plead and prove that the plaintiff has always been ready and willing to perform his part of contract.
