

EXAMINATION OF ARTICLED CLERKS

PAPER IV

CONVEYANCING

Monday, 14th October, 2019

Time: 3 Hours (1:00 PM to 4:00 PM)

TOTAL MARKS – 100

General Instructions:

- (1) Please answer all questions to the point.**
- (2) Answers should be reasoned and if possible supported by case law.**

1. Explain the following: 12 Marks
 - i. When is a document said to be properly attested?
 - ii. Vested Interest.
 - iii. Operation of transfer.
 - iv. Usufructuary mortgage.

2.
 - i. What is a 'Gift'? 6 Marks
 - ii. How is it effected?
 - iii. When can it be revoked?

3.
 - i. What is the time for presenting documents under the Registration Act, 1908. 12 Marks
 - ii. Which are the documents of which registration is optional?
 - iii. What are the effects of registration and non-registration?

4. Rooftop Pvt. Ltd. incorporates Skyscraper Pvt. Ltd. as a Special Purpose Company to construct a residential Building. The project was marketed by Rooftop. The Allotment Letters which were issued by Rooftop clearly provided that the project is being undertaken by Skyscraper The entire consideration amount for 5 Marks

the project was required to be paid to Skyscraper. The project was registered under the Real Estate Regulatory Authority and Skyscraper was declared as the Promoter of the project. There have been delays in completion of the building and the Flat owners are desirous of taking action against Skyscraper as well as Rooftop. Can they do so? What advice would you give them?

5. i. On what grounds can the Real Estate Regulation Authority revoke a registration? 6 Marks
 ii. What Is the Role of the Authority after revocation of registration?
6. Answer in one bullet point only. 3 Marks
 i. Does RERA apply to commercial projects?
 ii. Do all projects come under the ambit of RERA?
 iii. Can a real estate developer leave the project mid-way by selling to another developer?
7. Write short notes on any three of the following: 12 Marks
 i. Privileged Wills.
 ii. Gift made in contemplation of death.
 iii. Demonstrative legacies.
 iv. Bequests of annuities.
8. i. Can a builder construct an additional floor after the approval of the plans and specifications of the local Authority? 12 Marks
 ii. What are the particulars required to be included in an Agreement under the Maharashtra ownership flats (Regulation of the promotion of construction, sale, management and transfer) act, 1963.
 iii. Can promoter or building manager cut off or withhold water supply to a flat owner? What remedy does the flat owner have?

9. i. What is the validity of a Stamp Paper? 12 Marks
ii. Which are the instruments chargeable with duty?
iii. What is the Stamp duty payable on an Agreement to Sell?
iv. What is the Stamp duty payable on a Gift of immoveable property to a nephew.

10. Draft an Agreement for transfer of tenancy. 20 Marks

OR

Draft a General Power of Attorney.
