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According to section 58(a) of the Transfer of Property Act 1882, "A mortgage is the transfer of an interest in specific immoveable property for the purpose of securing the payment of money advanced or to be advanced by way of loan, an existing or future debt, or the performance of an engagement which may give rise to a pecuniary liability".

Law of Transfer of Property - WordPress.com

"Transfer of property" defined In the following sections "transfer of property" means an act by which a living person conveys property, in present or in future, to one or more other living persons, or to himself, 2[or to himself] and one or more other living persons; and "to transfer property" is to perform such act.

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The Transfer of Property Act, 1882

Sir D. Mulla "Liberty of alienation shall not be exercised or used for its own destruction. This is because if the owner having inherent power to transfer the property uses the right to the extreme and he thereby destructs the further right of alienation of future transferee.

Rule against Perpetuity and exceptions to this Rule - SRD

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Property Law - The Transfer of Property Act came into existence in 1882. Before that, the transfer of immovable property was governed by principles of English law and equity. The preamble of Act sets out the objectives of the legislation. Scope of this Act is limited.

Property Law - Notes, Case Laws And Study Material

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Dr. Sir H.S. Gours : Commentary on Transfer of Property Act, 1882 with The Transfer of Property (Amendment) Act, 2002 (3 of 2003), with latest case laws, 13th New Edn. in 2 Volumes, Per Set

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Transfer of Property Act: Sir Dinshaw Fardunji Mulla ...

Description Revising an acclaimed celebrated treatise is in itself an honour for any academician, but remains a daunting task accompanied with awe virtually becoming a challenge. An elaboration of the practical importance of transfer of Property, its accompanied rules and regulations becomes unnecessary in today's scenario.

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Poonam Pradhan Saxena - Mulla Transfer Property

The words “transfer of property” have been defined by Section 5 of the Act to mean an act by which a living person conveys property in present or in future to one or more other living persons etc. The words “living persons” include a Company or association or body of individuals. Section 105 of the Act defines “lease”.

R. Kempraj v. Barton Son And Co. | Supreme Court Of India ...

In Property Law, the principle is used to prevent the creation of new interest in a property during the pendency of any dispute regarding the title of the property.

DOCTRINE OF LIS PENDES: UPHOLDING EQUITY, JUSTICE AND GOOD ...

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Transfer of Property is the most difficult subject, next only to jurisprudence. The reason is that it deals with certain doctrines having their Origin in the Common Law of England, some totally alien to the Indian Concepts. The Transfer of Property Act 1882, was amended substantially in 1929.

TRANSFER OF PROPERTY ACT - MSR LAW BOOKS

The Transfer of Property Act, 1882: Long Title: An Act to amend the law relating to the Transfer of Property by act of Parties. Ministry: Ministry of Law and Justice: Department: Legislative Department: Enforcement Date: 01-07-1882: Last Updated: 25-02-2019

India Code: Transfer of Property Act, 1882

Transfer of property Act which clearly state under section 13 that deals with transfer of property to unborn child. A child in its mother's womb is for many purposes regarded by a legal fiction

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as already born, in accordance with the maxim nasciturus pro jam nato habetur, which means that the legal capacity of the natus (post born) is determined by referring back to a time when he was still nasciturus (unborn) but present in womb.

Transfer of Property to Unborn Child - Legal Service India

According to Section 58 of the Transfer of Property Act, "A mortgage is the transfer of an interest in specific immovable property for the purpose of securing the payment of money advanced or to be advanced by way of loan, an existing or future debt, or the performance of an engagement which may give rise to a pecuniary liability."

Charge under Section 100 of the Transfer of Property Act

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