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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".

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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

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transfer property" is to perform such act.

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

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transferee.

Rule against Perpetuity and exceptions to this Rule - SRD ...

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

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the legislation. Scope
of this Act is limited.

**Property Law -
Notes, Case Laws
And Study Material**

Dr. Sir H.S. Gours :
Commentary on
Transfer of Property
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(Amendment) Act,
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Description Revising an
acclaimed celebrated
treatise is in itself an
honour for any

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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.

**Poonam Pradhan
Saxena - Mulla
Transfer Property**

The words "transfer of
Page 17/26

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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

Page 18/26

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**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 -

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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

Page 21/26

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The Transfer Of
Property Act, 1882
**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 as already born, in accordance with the maxim nasciturus pro jam nato habetur, which means that the legal capacity

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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

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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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