FACULTY OF JURIDICAL SCIENCES

Course : LL.B. Ist Semester

SUBJECT: **Jurisprudence**

SUBJECT CODE: LLB 301

LECTURE: 37

NAME OF FACULTY: Ms. Anjali Dixit

                          Assistant Professor

Lecture-37

CHARACTERISTICS OF OWNERSHIP

An analysis of the concept of ownership, it would show that it has the following characteristics:

Ownership ma either be absolute or restricted, that is, it may be exclusive or limited. Ownership can be limited by agreements or by operation of law.

The right of ownership can be restricted in time of emergency. For example, building or land owned by a person can be acquired by the state for lodging army personnel during the period of war.

An owner is not allowed to use his land or property in a manner that it is injurious to others. His right of ownership is not unrestricted.

The owner has a right to posses the thing that he owns. It is immaterial whether he has actual possession of it or not. The most common example of this is that an owner leasing his house to a tenant.

Law does not confer ownership on an unborn child or an insane person because they are incapable of conceiving the nature and consequences of their acts.

Ownership is residuary in character.

The right to ownership does not end with the death of the owner; instead it is transferred to his heirs.

Restrictions may also be imposed by law on the owner's right of disposal of the thing owned.

Any alienation of property made with the intent to defeat or delay the claims of creditors can be set aside.

SELF-TEST QUESTIONS

S.NO	Question	Option (a)	Option (b)
1.	Ownership ma either be absolute or restricted	True	False
2.	The right of ownership can be restricted in time of emergency	True	False
3.	An owner is not allowed to use his land or property in a manner that it is injurious to others	True	False
4.	The owner has a right to posses the thing that he owns.	True	False
5.	The right to ownership does not end with the death of the owner; instead it is transferred to his heirs.	True	False

Answers: 1-(b),2-(a), 3-(a),4-(a),   5-(a)