

DESAI'S LAW OF TRANSFER. By Trikamlal R. Desai. (8th ed. 1978). Edited by V.R. Randive. Vora Prakashan, Ahmedabad. Pp. 54+614. Price Rs. 35.

THE ORIGINAL work was written by Trikamlal R. Desai and the last seventh edition by him was published in 1922. The present is the eighth edition, revised by V.R. Randive and published in 1978, *i.e.*, nearly after 56 years of the last edition. In the meanwhile, many amendments were made in the Transfer of Property Act, 1882 and a mass of new case law got accumulated. The present editor has made an attempt to incorporate all amendments under relevant sections of the Transfer of Property Act and updated the case law.

The book under review is a commentary on the Transfer of Property Act, 1882. The present editor has made an attempt to incorporate practically all the cases of the Privy Council and the Supreme Court in the commentary. However, there appear to be a few exceptions, *e.g.*, *R. Kempraj v. Burton Son & Co. (P.) Ltd.*<sup>1</sup> on sections 5, 14, 40 and 105 seems to have escaped the notice of the present editor. The main pattern of the original commentary—structure of T.R. Desai has been retained, the present editor doing the task of updating the materials. It appears that in collecting the case law the author has made use of secondary sources. Thus, he states in the preface he took the help of *Mulla on Transfer of Property Act* and other books of commentary on transfer of property to ascertain the development of the law of transfer of property by making use of decisions quoted by them.<sup>2</sup>

An addenda has been given<sup>3</sup> to incorporate certain escaped decisions. The table of cases, however, do not include the cases given in the addenda. Although a corrigendum is given,<sup>3a</sup> yet many printing errors still remain in the book unnoticed,<sup>4</sup> which ought to have been noticed and corrected in the corrigendum.

There are three useful appendices. Appendix A contains a useful summary of the Transfer of Property Act, which is likely to be helpful to students of law. Appendix B contains an explanation of the

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1. A.I.R. 1970 S.C. 1872.

2. *Desai's Law of Transfer*, preface (8th ed. 1978).

3. *Id.* at 7-13.

3a. *Id.* at 54.

4. *E.g.*, on page 8 the year of citation in the case *Jumma Masjid v. K. Deviah* is wrong. It is 1962 and not 1955 as printed. On page 42 read 'reversionary' for wrongly printed 'revision are' in 1st line. Similarly, the word 'in' is missing between 'be' and 'writing' on page 570, in para 4 in last but one line and the word 'form' is printed wrongly for the correct word 'from' on page 572 under section 115. These are illustrative and not exhaustive.

technical terms used in the Act. Appendix C contains examination questions of the Bombay, Gujarat and Baroda Universities on the Transfers of Property Act with hints. These questions ought to have included the examination problems on the Act with hints.<sup>5</sup>

A list of further readings could have been given for enabling the students to read relevant articles, case comments or standard works on the subject.

The language is simple any easy to understand.

The book primarily written for law students studying for LL.B. to whom it is likely to be useful.

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5. In many universities now instead of the old lecture method, the case method has been introduced. Under this method, students are given actual court opinions in advance and this is followed by class discussions of the various sections of the Act in the light of those decisions. In all the examinations problem-type questions are asked instead of direct questions.

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## BOOKS RECEIVED FOR REVIEW

A.K. NANDI, *Civil Ready Referencer*. 1980. Debooks Eastern Law House, 2 Creek Row, Calcutta. Pp. 9+1049. Price Rs. 132.

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B.B. MITRA, *Guardians and Wards Act*. 12th ed. (1980). Eastern Law House, 54 Ganesh Chunder Avenue, Calcutta. Pp. [41]+530. Price Rs. 80.

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EUGENE KAMENKA, (ed). *Ideas and Ideologies : Law and Social Control*. 1980. Edward Arnold Ltd., Woodlands Park, Maidenhead, Berkshire. Pp. ix+198. Price £8.95, Board Binding; £4.95, Paperback.

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S.M. SHAH, *Principles of the Law of Transfer*. 5th ed. (1980). N.M. Tripathi Pvt. Ltd., 164 Samaldas Gandhi Marg, Bombay. Pp. xxxvi+383. Price Rs. 35.

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