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limitation act can be



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BUSTER**

The word 'transfer' means all kinds of transfer, namely, sales, mortgages, lease etc. The transfer contemplated in Art.

92 must be a transfer of larger interest than the transferor was competent to transfer. Art. 92 applies to the suit for recovery of possession of the trust property when such trust property is transferred by the trustee for valuable consideration.

Art. 92 has to be read along with Section 10 of the Limitation Act, 1963. In B. H. U. v.

G. Das, (1986 All. LJ 31), it has been held that Section 10 of the Limitation Act can be invoked as against any person in whom the property has become vested for a specific purpose or his legal representatives or assigns not being assigns for valuable consideration and it applies to three categories of reliefs, namely, to follow the trust property or its proceeds, or for account of the trust property or its proceeds. In Prem Chand v. Pandit, (AIR 1961 All. 434), it has been held that when the transfer is made by the trustee in respect of specific trust for valuable consideration the cestui que trustee has to file a suit for recovery of possession and to such a suit, Art. 92 applies and such suit has to be brought within a period of 12 years from the date when the transfer becomes known to plaintiff.