

OWNERSHIP VS POSSESSION

OWNERSHIP

- Ownership involves the absolute rights and legitimate claim to an object. It means to own the object by the owner.

POSSESSION

- Possession is more the physical control of an object. The possessor has a better claim to the title of the object than anyone, except the owner himself.

OWNERSHIP

- Ownership is the right of the owner against the world indefinite in point of the user, unrestricted in point of disposition or destroying and unlimited in point of duration over a thing

POSSESSION

- As per the definitions, it is the continuous exercise of a claim to exclusively possess and use the object/thing.

OWNERSHIP

- Ownership itself gives the owner the right to possession.

POSSESSION

- However, it does not indicate the right to ownership.

OWNERSHIP

- The transfer of ownership is a technical and long process and involves conveyance.

POSSESSION

- Transfer of possession is fairly easier and less technical.

OWNERSHIP

- Ownership is essentially a bundle of rights, all rights in rem.

POSSESSION

- It is not a right, just a prima facie evidence of ownership