

S3 C.P.
TED (15) – 3143

(REVISION – 2015)

Reg. No.....

Signature

THIRD SEMESTER DIPLOMA EXAMINATION IN COMMERCIAL
PRACTICE — APRIL, 2017

MERCANTILE LAW

[Time : 3 hours

(Maximum marks : 100)

PART — A

(Maximum marks : 10)

Marks

I Answer the following questions in one or two sentences. Each question carries 2 marks.

1. Who is an 'alien enemy' ?
2. What do you mean by 'Doctrine of quantum merit' ?
3. What is 'implied condition' ?
4. Who is a Minor ?
5. What is a Factory as given in Factories Act ?

(5 × 2=10)

PART — B

(Maximum marks : 30)

II Answer any five of the following questions. Each question carries 6 marks.

1. State any six essentials of a valid acceptance.
2. Define the term undue influence. List out the essential elements of undue influences.
3. Explain the term 'lien'. State the conditions to be fulfilled to exercise the right of lien by an unpaid seller.
4. Distinguish between conditions & warranties.
5. Explain the special provisions given in Factories Act regarding the employment of women.
6. State any six essential elements of a valid offer.
7. Explain the term 'performance of contract'. Who can perform the contract ?

(5 × 6 = 30)

PART — C

(Maximum marks : 60)

(Answer *one full* question from each unit. Each full question carries 15 marks.)

UNIT — I

- III Explain various classifications of contracts as given in Contracts Act. 15

OR

- IV (a) What is consideration ? Explain various essential elements of consideration. 12
(b) Write a note on capacity of a person to enter into contract. 3

UNIT — II

- V What do you mean by Breach of Contract ? Briefly explain various remedies available to an injured party in case of Breach of Contract. 15

OR

- VI Explain the various circumstances causing the consent of a party not to be free. 15

UNIT — III

- VII State the differences between sale and :
(i) Mortgage (ii) Bailment (iii) Hire purchase 15

OR

- VIII (a) State the essential elements of a contract of sale. 7
(b) Distinguish between sale and Agreement to sell. 8

UNIT — IV

- IX (a) Write notes on :
Factory, Worker, Manufacturing process, Power 8
(b) Briefly explain the provisions given in Factories Act regarding the working hours of a young worker. 7

OR

- X Explain various safety measures provided in the Factories Act for workers. 15