

Roll No. *L.B.I.Yeng, II Sem* 6-6-2012
Printed Pages : 2

14280

BDL/M12
LAW OF CONTRACT - II
Paper - 205
Special Contract

Time allowed : 3 hours] [Maximum marks : 100

Note : Attempt five questions in all, selecting one question from each unit. Unit-I to IV and question number nine in Unit-V is compulsory. All questions carry equal marks.

Unit-I

1. What do you understand by 'Contract of Indemnity'.
2. 'The liability of the surety is co-extensive with that of the principal debtor.' Discuss.

Unit-II

3. Explain the standard of care required of a bailee in respect of goods bailed to him.
4. What can be pledged and who can make a valid pledge ?

P.T.O.

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Unit-III

5. Explain the various ways in which an agency relationship can be created.
6. What are the circumstances in which an agency is terminated ?

Unit-IV

7. What do you understand by the principle of 'Holding out' ?
8. Discuss the provisions relating to dissolution of partnership firm.

Unit-V

9. Write short notes on any four of the following :
 - (a) Continuing guarantee
 - (b) Co-sureties
 - (c) Features of Bailment
 - (d) Rights of Pawns
 - (e) Kinds of Agent
 - (f) Agency by Ratification
 - (g) Nature of Partnership
 - (h) Registration of firm.

LL.B. Ist year Third Semester
Roll No. May 2013

14258

Printed Pages : 2

BDL / M-13

LAW OF CONTRACT-II
(SPECIAL CONTRACT)

Paper-205

Time allowed : 3 hours]

[Maximum marks : 100]

Note : Attempt one question each from Unit-I to IV.

Unit-V is compulsory. All questions carry equal marks.

Unit-I

1. Define and distinguish between contract of indemnity and contract of guarantee.
2. Discuss the situations in which a surety stands discharged from his liability.

Unit-II

3. Discuss the duties of bailee in detail.
4. Who are entitled to pledge the goods ? Discuss.

Unit-III

5. What is agency by ratification ? Discuss the essentials of valid ratification.

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6. Discuss the duties of Agent.

Unit-IV

7. Discuss in detail the essentials of Partnership.
8. Discuss the main provisions relating to registration of firms. Also discuss the effect of non-registration of a firm.

Unit-V

9. Write short notes on any four :

- (a) Extent of surety's liability
- (b) Continuing guarantee
- (c) Hypothecation
- (d) Pawner's right to redeem
- (e) Substituted agent
- (f) Personal liability of agent
- (g) Incoming and outgoing partners
- (h) Nature of Partnership.

14004

LAW OF CONTRACT-I

(General Principles)

Paper-204

Time Allowed : 3 Hours]

[Maximum Marks : 60

Note : Attempt five questions in all, selecting at least one question from each Unit. All questions carry equal marks.

UNIT-I

1. What do you understand by Agreement? What is the difference between Agreement and Contract?
2. Define and differentiate Proposal and Acceptance with relevant case-law.

UNIT-II

3. Explain the nature and scope of Minor's agreement with relevant case law.
4. What do you understand by Mistake and what are its essentials?

UNIT-III

5. Explain the term 'Nudum Pactum' with exceptions.
6. What do you understand by Unlawful agreement forbidden by Law? Explain.

UNIT-IV

7. Explain Agreement in Restraint of Trade with exceptions.
8. Explain the Doctrine of Frustration with illustrations.

UNIT-V

9. Explain Novation, Recission and Alteration of Contract with relevant case-law.
10. What is remoteness of Damages? Explain the kinds of damages.

LAW OF CONTRACT-II
(Special Contract)

Paper-205

Time Allowed : 3 Hours] [Maximum Marks : 100

Note : Attempt five questions in all, selecting at least one question from each Unit. Question No. 9 is compulsory. All questions carry equal marks.

UNIT-I

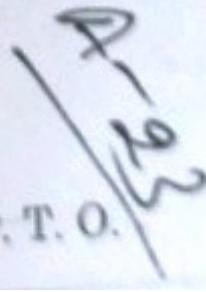
1. Define the Contract of Indemnity and Guarantee. Discuss the rights of an Indemnity holder.
2. State the rights of a surety against the Creditor, Principal debtor and Co-sureties.

UNIT-II

3. What do you mean by Bailment? Discuss the rights of bailor and bailee under the Contract of Bailment.
4. "Pledge is a special kind of Bailment." Explain the statement highlighting the difference between Pledge and Bailment.

UNIT-III

5. Who is an Agent and how does he differ from a Servant? Substantiate whether a minor :
 - (a) can appoint an Agent?
 - (b) can be appointed as an Agent?



P. T. O.

Q. Briefly enlighten the various modes by which an agency may be created and terminated.

UNIT-IV

7. "Although sharing of profits is an essential element of partnership, it is not the sole test." Elucidate the statement and explain the essentials of Partnership.
8. Discuss the different modes by which a firm can be dissolved? Also, distinguish between dissolution of firm and dissolution of Partnership.

UNIT-V

Compulsory Question

9. Write notes on any **four** of the following :
 - (a) Continuing Guarantee
 - (b) Hypothecation and Mortgage
 - (c) Status of minor as a Partner
 - (d) Rights of Finder of Lost Goods
 - (e) Ostensible Authority of an Agent
 - (f) Sub-Agent and Substituted Agent
 - (g) Modes of discharge of Surety from liability
 - (h) Effects of Non-registration of partnership under the Indian Partnership Act.

Total Pages : 2

Roll No.

14268

LD/M-16

LAW OF CONTRACT - II (Special Contract)
Paper - 205

[Maximum Marks : 100]

Time : Three Hours]

Note : Attempt *five* questions in all, selecting at least *one* question from each unit. Question No. 9 (Unit-V) is compulsory. All questions carry equal marks.

UNIT-I

1. (a) What is Contract of Guarantee ? What are its special features ?
(b) Distinguish between a Contract of Indemnity and Contract of Guarantee. (15+5)
2. Who is Surety ? Explain the circumstances under which a surety is discharged from his liability. (5+15)

UNIT-II

3. Differentiate between :
(a) Bailment and Pledge.
(b) Hypothecation and Mortgage. (10×2)
4. What is Gratuitous Bailment ? Explain the rights and duties of Bailor. (5+15)

UNIT-III

5. What are the essential features of Contract of Agency ? Is consideration necessary to create an agency ? (15+5)

6. Define 'actual authority' and 'ostensible authority' of an agent and explain the extent of agent's authority. Under what circumstances an agent delegate his authority to another ? (15+5)

7. *"As an agreement is an essential ingredient in a partnership, it follows that a minor cannot enter into an agreement of partnership."* In the light of this statement, discuss the statement status of minor under the Indian Partnership Act, 1932. (20)

8. What are the different modes in which a partnership firm may be dissolved ? Distinguish between dissolution of partnership and dissolution of firm. (15+5)

UNIT-V (Compulsory Question)

9. Write short notes on any four of the following :

- (a) Surety's rights against co-sureties.
- (b) Rights of Indemnity-Holder.
- (c) Kinds of Bailee.
- (d) Rights of finder of lost goods.
- (e) Irrevocable Agency.
- (f) *Del Credere* Agent.
- (g) Principle established in *Cox vs. Hickman*.
- (h) Effects of non-registration of Partnership Firm.

Roll No.

Total Pages : 2

LG/M-16

14211

LAW OF CONTRACT-II
(Special Contract)
Paper : 206

Time : Three Hours]

[Maximum Marks : 80

Note : Attempt five questions in all. Select one question each from Unit-I to Unit-IV. Q. No. 9 (Unit-V) is compulsory. All questions carry equal marks.

UNIT-I

1. What do you mean by the Contract of Indemnity ? Explain its ingredients. Also explain the rights of Indemnity holder.
2. Define Guarantee. What are the main features of a contract of Guarantee ? Explain.

UNIT-II

3. Explain the term Bailment. What are its essentials ? Discuss in detail the rights of Bailee under Bailment.
4. Examine the term Pledge. Who can pledge the goods ? Explain.

UNIT-III

5. What do you mean by Ratification ? Explain the essentials of a valid ratification. What is the effect of ratification ? Explain.

6. Who is called as an Agent ? What are the duties of an agent under the Law of agency ? Explain.

UNIT-IV

7. What are the mode of determining existence of Partnership ? Who can be a partner in Partnership. Explain.
8. Define Registration and procedure for registration of a firm. What is the effects of non-registration ?

UNIT-V (Compulsory Question)

9. Explain the following :
- Define Principal Debtor.
 - Pawner's Right to Redeem.
 - Delegation of Authority.
 - Explain Partner's inter se.
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LAW OF CONTRACT - II

(Special Contract)

Paper - 205

Time : Three Hours]

[Maximum Marks : 100

Note : Attempt *five* questions in all, selecting at least *one* question from each Unit. Question No. 9 (Unit-V) is compulsory. All questions carry equal marks.

UNIT-I

1. (a) Discuss the essentials of Contract of Indemnity and Contract of Guarantee.
 (b) C advances to D ₹ 5,00,000 on the guarantee of A. The loan carries interest at 10% per annum. D becomes financially embarrassed subsequently. On D's request, C reduces the interest to 6% per annum and does not sue D for one year after the loan becomes due. D becomes insolvent. Can C sue A ? Decide with reasons. (15+5=20)

2. (a) Explain the statement, "*Between co-sureties there is equality of burden and benefit*".
 (b) State the rights of surety against the creditor and principal debtor. (5+15=20)

[P.T.O.]

UNIT-II

3. Discuss the rights and obligations of a finder of goods. What is the nature of the lien which finder of goods has over the goods ? (15+5=20)

4. Define Pledge and explain its characteristics. Also discuss pledge by person in possession under voidable contract. (15+5=20)

UNIT-III

5. What is a contract of Agency ? Discuss briefly the various modes by which an agency may be created and terminated. (5+15=20)

6. (a) State the circumstances under which an agent can delegate his authority to another ?
(b) Distinguish between sub-agent and substituted agent. (15+5=20)

UNIT-IV

7. Distinguish Partnership from (i) Co-ownership, (ii) Company, and (iii) Joint Hindu Family Business. 20

8. (a) Is registration of partnership firms compulsory ? What is the procedure for the registration of a firm ?
(b) What are the consequences of non-registration of a firm ? (15+5=20)

9. Write short notes on any four of the following :

(Compulsory Question)

UNIT-V

- (a) Rights of Indemnity-Holder.
- (b) Continuing Guarantee.
- (c) Gratuitous Bailment.
- (d) Hypothecation and Mortgage.
- (e) Del Credere Agent.
- (f) Actual and Ostensible Authority.
- (g) Rule laid down in Cox v. Hickman.
- (h) Incoming and Outgoing Partners. ($5 \times 4 = 20$)

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LAW OF CONTRACT-II
Paper 205
Special Condition

Three Hours]

[Maximum Marks : 100

Attempt *Five* questions in all, selecting at least *one* question from each Unit. Q. No. 9 (Unit V) is compulsory. All questions carry equal marks.

Unit I

What do you mean by 'Contract of Guarantee' ? Discuss its essential features. Distinguish between Contract of Indemnity and Contract of Guarantee.

Discuss rights and liabilities of a surety.

Unit II

What are the essential of a pledge ? Who can pledge ? Distinguish between pledge and lieu.

Discuss rights and duties of bailor and bailee.

P.T.O.

Unit III

5. Define the term 'Sub-agent'. How far is principal bound by the acts of a sub-agent ? What is the distinction between sub-agent and substituted agent ?
6. What do you mean by the term 'Agent' ? Discuss the legal position of a wife as an agent of her husband. Can a minor be an agent ?

Unit IV

7. Discuss the various modes of dissolution of a firm under Indian Partnership Act.
8. Explain the doctrine of 'Holding Out' in detail.

Unit V (Compulsory Question)

9. Write short notes on any *four* of the following :
 - (a) Continuing guarantee
 - (b) Rights of Indemnity-holder
 - (c) Bailment
 - (d) Pledge and Mortgage
 - (e) Agency by Ratification
 - (f) Personal liabilities of an agent
 - (g) Nature of partnership
 - (h) Effects of non-registration of a firm.

Roll No.

14256

LD/M-19

LAW OF CONTRACT-II
Paper 205

Time : Three Hours]

[Maximum Marks : 100

Note : Attempt Five questions in all, selecting at least one question from each Unit. Q. No. 9 (Unit V) is compulsory. All questions carry equal marks.

Unit I

1. What do you mean by 'Contract of Indemnity' ? Explain its essential features. Also discuss the rights of Indemnity holder.
2. Discuss the various modes of discharge of a surety from his liability.

Unit II

3. What do you mean by 'bailment' ? What are essentials of a bailment ? What are the rights and duties of a finder of lost goods as a bailee ?

4. Distinguish between Hypothecation and Pledge. Discuss the rights of Pawner and Pawnee.

Unit III

5. Discuss various modes of termination of agency.
6. What do you mean by the term 'Agency' ? Discuss in detail the various kinds of agents.

Unit IV

7. Define partnership and explain in detail the essential elements of partnership.
8. Is it mandatory to register a firm ? What are the consequences of non-registration of a firm ?

Unit V

9. Write notes on any *four* of the following :
- (a) Contract of guarantee
 - (b) Extent of Surety's liability
 - (c) Right of bailor

- (d) Who can Pledge ?
- (e) Modes of creation of Agency
- (f) Agent's duty to principal
- (g) Rights and liabilities of the outgoing partner.
- (h) Doctrine of Holding out.