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2 SEM LLB SC 3 (N)

2017

(June)

LAW

Paper : 2.3

(Specific Contract)

(New Course)

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Choose the correct options : $1 \times 10 = 10$

(i) Which section provides that co-sureties are liable to contribute equally ?

(a) sec. 145

(b) sec. 146

(c) sec. 147

(d) sec. 148.

(ii) A contract of guarantee may be —

- (a) written
- (b) oral
- (c) written or oral
- (d) none of the above.

(iii) “Bailee is not responsible on re-delivery to bailor without title” is contained in —

- (a) section 164
- (b) section 165
- (c) section 166
- (d) section 167.

(iv) Placing of ornaments in a bank locker is not a contract of bailment. This statement is —

- (a) true
- (b) false

- (c) partly false
- (d) partly true.
- (v) 'Person falsely contracting as agent is not entitled for performance' is provided in —
- (a) sec. 232
- (b) sec. 233
- (c) sec. 235
- (d) sec. 236.
- (vi) An agent's remuneration becomes due when —
- (a) contract took place
- (b) work is complete
- (c) agent demands
- (d) principal likes.

(vii) Partnership is created by status. This statement is —

- (a) correct
- (b) partly correct
- (c) incorrect
- (d) none of the above.

(viii) Mode of determining existence of partnership is provided in —

- (a) sec. 4
- (b) sec. 5
- (c) sec. 6
- (d) sec. 7.

(ix) A contract of sale may be —

- (a) absolute
- (b) conditional
- (c) absolute or conditional
- (d) none of the above.

(x) Ascertainment of price is dealt with under —

(a) sec. 8

(b) sec. 9

(c) sec. 10

(d) none of the above.

2. Write short notes on : 2×5=10

(a) Objectives of indemnity

(b) Nature of pledge

(c) Definition of agency

(d) Nature of partnership

(e) Doctrine of *caveat Emptor*.

3. Mention the duties and liabilities of principal debtor, referring case laws.

OR

Define contract of indemnity. Is there any difference in Indian and English laws on this issue? Refer case laws also.

4+8=12

4. Critically analyse the provisions relating to pledge as mentioned in the Indian Contract Act, 1872. 12

OR

Mention the rights and duties of bailor.

12

5. Explain the rights and liabilities of agents. 12

OR

Write an exhaustive note on contract of agency. 12

6. Discuss the procedure for registration of a partnership. 12

OR

Mention various modes of dissolution of partnership. 12

7. Mention the rights of unpaid seller.

12

OR

Define Condition and Warranty. Mention the differences between the two.

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