

Note –All question are compulsory and carry equal marks

Q1A) State whether True or False with Reason (Any 4) (8mks)

- 1) No consideration, no contract.
- 2) A threat to commit suicide amounts to coercion.
- 3) No consideration is necessary to create an agency.
- 4) The liability of the principal debtor is secondary.
- 5) Bailment can be of movables as well as immovable property also.
- 6) Past consideration is no consideration.
- 7) An agreement with or by a minor is voidable.

Q1B) Multiple choice question (any7) (7mks)

- 1) In case of destruction of goods after sale, loss is borne by the \_\_\_\_\_ (seller, buyer)
- 2) Sale creates a \_\_\_\_\_ (right in rem, right in personam)
- 3) Risk prima facie passes with the \_\_\_\_\_ (possession, ownership)
- 4) Holder in due course is a holder \_\_\_\_\_ (for consideration, without any consideration)
- 5) Who is not a party to cheque \_\_\_\_\_ (Drawer, Acceptor, Drawee)
- 6) Noting is to be done by \_\_\_\_\_ (District judge, Notary public, Parties themselves)
- 7) \_\_\_\_\_ is also a Bills of Exchange. (Cheque, Promissory note)
- 8) Maturity of an instrument is the date on which the instrument is \_\_\_\_\_ (created, payable, signed)
- 9) Doctrine of Caveat Emptor places the burden on the \_\_\_\_\_ (seller, buyer)
- 10) Agreement to sell is an \_\_\_\_\_ contract. (executory, executed)

Q2A) Define contract and Discuss briefly the effect of the agreements entered by minor

(12 Mks)

Q2B) Carbolic Smoke Ball Company advertised in the news paper, that it would pay Rs.1000/- to any one who contracts influenza after using, the smoke balls of the company according to the printed instructions. Mrs. Carlill used the smoke balls according to the printed instructions, yet contracted influenza she filed the suit, for Rs. 1000/-. Is the company liable to pay. Justify

(3 Mks)

OR

Q2C) Write Short Notes (Any Three)

(15 Mks)

- 1) Fraud
- 2) Void Agreement
- 3) Quasi Contract
- 4) Classification of Contract
- 5) Consideration



Q3A) What are the different modes for creation of Agency and what are the different kinds of Agents (12 Marks)

Q3B) 'A' employs 'B' to build a house within a fixed time period 'C' stands Guarantor for performance. However the raw materials are to be supplied by 'A'. If 'A' omits to supply raw materials what is the liability of 'C'. Explain (3 Marks)

OR

Q3C) Write Short Notes (Any 3) (15 Marks)

- 1) Contract of Indemnity
- 2) Contract of Guarantee
- 3) Contract of Bailment
- 4) Terminations of Agency
- 5) Rights and duties of Pawnor

Q4A) Define Contract of Sale. Explain the essential features of such a contract and distinguish it between Sale and Agreement to Sale. (12 Marks)

Q4B) 'A' entered into a contract of sale of carpet with 'B'. The Agreement was 'A' had carpet B's room. The carpet was chosen. 'A' delivered the carpet at B's place but was stopped before carpeting the room. Who be held liable for the loss. Justify (3 Marks)

OR

Q4C) Write Short Notes (Any 3) (15 Marks)

- 1) Implied Conditions
- 2) Unpaid Seller
- 3) Risk Prima Facie Passes with property
- 4) Goods and price.
- 5) Rules for transfer of property

Q5A) Define Promissory Note. Explain its essentials and what are different kinds of Promissory Note. (12 Marks)

Q5B) A bill drawn in Chennai upon a Merchant in Canada & made payable in Mumbai. is the nature of this instrument. Explain (3 Marks)

OR

Q5C) Write Short Notes (Any 3) (15 Marks)

- 1) Bills of Exchange
- 2) Types of Cheque
- 3) Rules of evidence in case of negotiable instruments.
- 4) Bankers liability and non liability in payment of Cheque
- 5) Noting & Protest