

F.Y.B.A.LL.B (5Years Course) (with Credits)-Regular-Semester 2012 Sem II
LL-12 Course Code 2.6 : Law of Contract-II

P. Pages : 2

Time : Three Hours



GUG/W/16/5439

Max. Marks : 80

- Notes : 1. Attempt **Eight** questions in all including Q. No. **1** which is compulsory.
2. All questions carry equal marks.

1. Choose the appropriate alternative.

- i) The person to whom goods are delivered according to Bailment is called.
 - a) Bailor
 - b) Bailee
 - c) Pledger
 - d) None of these
- ii) Section 184 of the contract Act deals with qualification of.
 - a) Principal
 - b) Agent
 - c) Bailer
 - d) None of the above
- iii) An unsound person cannot become.
 - a) An agent
 - b) Principal
 - c) Both a) and b)
 - d) None of these
- iv) The goods identified and agreed upon at the time a contract of sale is made are called.
 - a) Ordinary goods
 - b) Specified goods
 - c) Scheduled goods
 - d) None of these
- v) Where an unpaid seller has made part delivery of the goods he may exercise his right-
 - a) Return on the remainder
 - b) Of lien on the remainder
 - c) Sale to any other person
 - d) None of these
- vi) "Indemnity" means.
 - a) Security from damage or loss
 - b) Security for more profit
 - c) An act of protection
 - d) Both a) & b)
- vii) Essential parties to contract of Guarantee.
 - a) Creditor
 - b) Principal at Debtor
 - c) Surety
 - d) All of the above
- viii) A guarantee which extend to a series of transaction is called.
 - a) Special guarantee
 - b) Continuing guarantee
 - c) Specific guarantee
 - d) None of these
- ix) According to sale of goods Act, 1930, seller' means a person.
 - a) Who only agrees to sale goods
 - b) Who only sells goods
 - c) Who sells or agree to sell goods
 - d) None of these

x) An agreement in restraint of trade in a partnership under section 11 of the Act is.

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|----------|-------------|
| a) Valid | b) Voidable |
| c) Void | d) Invalid |

2. Write short notes on **any two** of the following.

- | | |
|------------------|------------------------|
| a) Indemnity | b) Co - Surety |
| c) Caveat emptor | d) Partnership at will |

3. What are the Rights and Duties of a Bailor and Bailee?

4. Explain the rule 'Nemo dat Quad non Habet'.

5. Surety's Liability is co-extensive with that of the principal Debtor - Discuss.

6. Examine the rights and liabilities of a minor admitted to Partnership.

7. What are the implied conditions and warranties?

8. What are the rights and duties of partners?

9. Who is an unpaid seller and what are its rights in respect of the goods sold by him.

10. What is pledge? Discuss the essential conditions for the contract of pledge.

11. "Partnership is an association of persons, who have agreed to share the profits of a business carried on by all or any one of them acting for all"- comment.

12. What is contract of Guarantee? Distinguish between contract of Guarantee and contract of indemnity.
