

28001

THREE YEAR LL.B. DEGREE EXAMINATION, SEPTEMBER 2014.  
SECOND SEMESTER

Paper I — CONTRACTS — II (Special Contracts)

Time : Three hours

Maximum : 100 marks

(No additional sheet will be supplied)

PART A — (6 × 4 = 24 marks)

(Short answer questions)

Answer any SIX questions.

Each question carries 4 marks.

1. Rights of unpaid seller.
- ~~2.~~ Liability of indemnifier.
- ~~3.~~ Rights of surety.
- ~~4.~~ Termination of bailment.
5. Pledge by non-owners.
- ~~6.~~ Who is an agent?
- ~~7.~~ Caveat emptor.
8. Minor as a partner.
- ~~9.~~ Bill of exchange.

PART B — (2 × 18 = 36 marks)

(Essay type questions)

Answer any TWO questions.

Each question carries 18 marks.

10. Define contract of indemnity and distinguish it from contract of guarantee.
- ~~11.~~ "Delegates non protest delegare" – explain with reference to contract of agency.
12. Explain how to form contract of sale of goods and discuss the significance of conditions and warranties in the contract of sale of goods.
13. Explain the procedure for registration of partnership firm and examine the effects of non-registration of the firm.

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PART C — (2 × 20 = 40 marks)

(Case comment type questions)

Answer any TWO questions.

Each question carries 20 marks.

14. 'Z' obtained some money from 'Q' by pledging gold ornaments. After some time 'Z' paid money to 'Q' and got back his gold ornaments. After bringing gold ornaments to home, it was found the ornaments were not gold – Discuss.
15. 'P' executed a promissory note in favour of 'Q' in lieu of money borrowed from 'Q' with an undertaking to repay the money as early as possible. But he failed to repay and 'Q' brought a suit against 'P' on the promissory note – Decide.
16. 'A' partner of the partnership firm obtained loan from 'X' is the name of the firm and the same was utilized for his personal requirements – Discuss the liability of the firm.
17. 'X' bought a car obtaining loan from a financial institution. As a guarantee of a payment of loan 'Y' signed as surety. 'X' failed to pay the loan and the financial institution recovered the same from 'Y' as surety – Discuss and advise 'Y'

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