

Total number of printed pages-4

19 (2) SPCT 2-3

2017

SPECIAL CONTRACT

Full Marks : 80

Time : Three hours

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

1. Choose the correct answer: $1 \times 9 = 9$
- (a) Contract of insurance is not covered in India under section _____ (124/128) of the Indian Contract Act, 1872.
- (b) It is _____ that ratification should be with full knowledge of facts.
(True/False)
- (c) In a contract of guarantee, the liability of surety is _____. (primary/secondary)
- (d) Indian Partnership Act came into force on _____.
(1st day of August 1932/1st day of October 1932)

Contd.

- (e) Section _____ of the Indian Partnership Act 1932, defines Partnership. (4/5)
- (f) Registration of Partnership has been dealt in chapter _____ of the Indian Partnership Act, 1932. (VII/IX)
- (g) The Sales of Goods Act came into force on _____.
(1st June, 1930/1st July, 1930)
- (h) Future Goods has been defined in section _____ [2(6)/2(7)] of the Sales of Goods Act, 1930.
- (i) Limited Liability Partnership Act was passed in _____. (2008/2010)
2. Write the following: $2 \times 5 = 10$
- (a) Termination of bailment
- (b) Substituted agent
- (c) Implied conditions and Warranties
- (d) Liability of an expelled Partner
- (e) Holding out (under LL.P Act).
3. What is Contract of Guarantee? How it is performed by Banks? Explain when injunction against Bank Guarantee can be granted. $4+4+4=12$

Or

Define Bailment. What are its essentials? Discuss briefly the duties of Bailee.

$4+2+6=12$

4. Explain agency. Write about the main features of contract of agency and also explain different kinds of agents.

$4+4+4=12$

Or

Discuss the various modes of the termination of agency of an agent. 12

5. Discuss the following: $6+6=12$

- (a) Stipulation as to time
- (b) Consequences of the breach of warranty.

Or

Define Unpaid Seller. Discuss the rights of an unpaid seller. $4+8=12$

6. What do you mean by 'Partnership'. Discuss the essentials of Partnership. $4+8=12$

Or

**Explain about dissolution of Partnership.
Discuss the different modes of dissolution
of Partnership.**

4+8=12

- 7. Explain the nature and scope of Limited
Liability Partnership Act. 13**

Or

**Discuss in detail the difference between
Limited Liability Partnership and Partnership
Act. 13**