

Total number of printed pages-4

19/21 (Sem-4) SPCN

2015

SPECIAL CONTRACT

Paper : 4-4

Full Marks : 80

Time : Three hours

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

1. Fill in the blanks with appropriate answers :
1×10=10
 - i. A contract of insurance _____ covered by the definition of contract of indemnity. (is/ is not)
 - ii. A guaranty may be _____. (written/ either oral or written)
 - iii. Pledge is defined under Section _____ of the Indian Contract Act. (171/ 172)
 - iv. A co-agent is the principal's agent. (True / false)
 - v. The business of the partnership firm _____ a mutual agency. (is/ is not)

Contd.

- vi. Sec. _____ of the Sale of Goods Act defines Specific Goods. (2(4) /2(14))
- vii. Bailment consists in delivery of _____ goods. (movable/ immovable)
- viii. Sub-agent is appointed by the _____ (principal/ agent)
- ix. Agent's authority in an emergency has been explained in Sec. _____ of the Indian Contract Act. (189/187)
- x. Stipulation collateral to the main purpose of the contract is called _____. (condition/ warranty).

2. Write short notes on : 2x5=10
- i. Right of redemption
 - ii. Del credere agent.
 - iii. Partnership at will.
 - iv. Distinction between condition and warranty
 - v. Limited liability partnership firm.

3. Define bailment. Discuss the rights and duties of a bailee. Is there any difference between bailment and pledge? 2+8+2=12

Or

State the rights of a surety against— 4x3=12

- a. The creditor
- b. The principal debtor
- c. Co-surety.

4. What do you mean by agency? Discuss the modes of termination of an agency. 2+10=12

Or

Who is an agent? Discuss the duties of an agent. Whether an agent can appoint a sub agent? Discuss its exceptions, if any. 2+6+4=12

5. What is Contract of Sale? Discuss the rule of *Caveate Emptor* with its exceptions. 3+9=12

Or

Who is unpaid seller? Discuss the rights of an unpaid seller under the Sale of Goods Act. 4+8=12

6. What is Partnership ? Discuss the essentials of partnership. Mention the distinction between partnership and company.

2+5+5=12

Or

What do you mean by dissolution of a firm ? Discuss the various modes of dissolution of a firm.

2+10=12

7. Explain the nature and scope of Limited Liability Partnership Act, 2008. How partnership firm is different from limited liability partnership firm ?

8+4=12

Or

Write short notes on : (any two) 6+6=12

- i. Position of finder of goods under the Indian Contract Act
- ii. Effect of non registration of a firm
- iii. Different kinds of agents