

Total number of printed pages-4

19 (2) SPCT 2·3

2023

SPECIAL CONTRACT-II

Paper : 2·3

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) Bailment consists in delivery of _____ goods. (movable/immovable)

(iii) A _____ is an agent who has an authority to negotiate the sale or purchase of goods on behalf of his principal, with a third person. (factor/broker)

Contd.

(iv) According to sec _____ for the act to be ratified, it is necessary that the same has been done on behalf of the person who seeks to ratify the same.

(196/198)

(v) Sec _____ of the Sale of Goods Act defines specific goods. [2(4)/2(14)]

(vi) Sale is an _____ contract.
(executory/executed)

(vii) A partner's liability is always _____.
(limited/unlimited)

(viii) Partnership is _____.
(a juristic person/not a juristic person)

(ix) According to sec _____ of the Limited Liability Partnership Act, 2008, a limited liability partnership is a body corporate formed and incorporated under the Act. (5/3)

(x) _____ of the Limited Liability Partnership Act, 2008 deals with nature of limited liability of partnership.
(Chapter-II/Chapter-III)

2. Write on the following : $2 \times 5 = 10$

(i) Right of redemption

(ii) Del credere agent

(iii) Ascertained goods

(iv) Partnership at will

(v) Limited Liability Partnership firm

3. What do you mean by contract of guarantee? Discuss the modes of discharge of surety's liability under a contract of guarantee. $2+10=12$

Or

Define pledge. Who can pledge? Explain the rights of a pawnee. $2+4+6=12$

4. "The acts of the agent within the scope of his authority bind the principal."
Elucidate the principle as per the provisions of the Indian Contract Act. Discuss the liability of principal for agent's wrongful act. $8+4=12$

Or

Discuss the various ways in which agency is created and terminated. $8+4=12$

5. Define condition and warranty. Under what circumstances a breach of condition can be treated as a breach of warranty ? 4+8=12

Or

Nemo dat quod non habet. Discuss this principle with its exceptions. 12

6. Define Partnership. Explain in detail the rights and duties of the partners under a firm. 2+10=12

Or

What do you mean by dissolution of a firm ? Discuss the various modes of dissolution of a firm. 2+10=12

7. What is limited liability partnership ? Discuss the important changes brought in by the Limited Liability Partnership (Amendment) Act, 2021. 2+10=12

Or

Discuss the nature, scope and salient features of the Limited Liability Partnership Act, 2008. 12