

**BA LLB
Fourth Semester
SPECIAL CONTRACT
(BLB – 404)**

Duration: 3Hrs.

Full Marks: 80

Part-A (Objective) =30
Part-B (Descriptive) =50

(PART-B: Descriptive)

Duration: 2 hrs. 30 mins.

Marks: 50

Answer the following questions:

1. What are the rights and duties of a Bailee provided under the Contract of Bailment? (10)

Or

What are the main features of a Contract of Guarantee? How Contract of Guarantee differs from Contract of Indemnity? (5+5=10)

2. Write short notes on: (5+5=10)

(i) Termination of Agency

(ii) Rights of Agent

Or

Discuss the duties of an agent in an agency with respective provisions of the Indian Contract Act. (10)

3. Explain the provisions relating to formation of contract of sale of goods, formalities of such contract and sub – matters of such contract as laid down in the Sale of Goods Act, 1930. (10)

Or

Discuss with case laws and illustrations the provisions relating to the effects of the contract of sale of goods under the Sale of Goods Act, 1930. (10)

4. What do you mean by partnership? What are the essential of Partnership provided under the Indian Partnership Act, 1932? (3+7=10)

Or

What are the rights and duties of Partners towards each other under the Indian Partnership Act, 1932? (10)

5. What do you mean by Limited Liability Agreement? What are the rules provided under the Limited Liability Partnership Act, 2008 for the incorporation of a limited Liability partnership? (3+7=10)

Or

What is the extent and limitation of limited liability partnership and partner provided under the Limited Liability Partnership Act, 2008? (10)

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Duration: 30 minutes

Marks – 30

(PART A- Objective Type)

I. Choose the correct answer:

1×10=10

- i) Which Section of the Indian Contract Act, 1872 defines “Contract of Bailment”?
(a) Section 125 (b) Section 124
(c) Section 148 (d) Section 150
- ii) Which Section of the Indian Contract Act deals with Bailor’s duty?
(a) Section 154 (b) Section 150
(c) Section 155 (d) Section 170
- iii) Why an agent is appointed by the Principal?
(a) To guide the principal (b) To represent the Principal
(c) To supervise the Principal (d) All of the above
- iv) Which of the following agents guarantees the performance of the contract by the third person on payment of some extra - commission?
(a) Factor (b) Broke
(c) Del Credere Agent (d) Auctioneer
- v) Goods identified and agreed upon at the time a contract of sale is made, is called:
(a) Specific Goods (b) Future Goods
(c) Sample Goods (d) Expensive Goods
- vi) A stipulation in a contract of sale with respect to goods which are the subjects thereof may be a:
(a) guidelines (b) condition or warranty
(c) warning (d) none of the above
- vii) How a new partner can be introduced in a partnership firm?
(a) With the consent of existing partner.
(b) In accordance with a contract between partners.
(c) In accordance with the provisions of Section 30.
(d) All of the above.
- viii) What are the different ways by which a partner ceases to be a partner?
(a) By retirement (b) By insolvency
(c) By Death (d) All of the above

ix) Which Chapter of the Limited Liability Partnership Act, 2008 deals with Investigation of a Limited Liability Partnership?

- (a) Chapter X (b) Chapter II
(c) Chapter IX (d) Chapter IV

x) What is the minimum number of designated partners required to form a limited liability partnership?

- (a) 2 (b) 8 (c) 10 (d) 15

II. Answer the following questions:

2×10=20

i) What do you mean Contract of Indemnity?

ii) What do you mean by Continuing Guarantee?

iii) Who is a sub- agent? Under which Section of the Indian Contract Act sub-agent is defined?

iv) If an agent has an interest in the subject matter of the agency, can such agency be terminated? Explain mentioning the provision of the Indian Contract Act.

v) Define auction sale.

vi) When an unpaid seller's right of lien is terminated?

vii) What is Partnership at will?

viii) 'X' and 'Y' are partners in a trading firm; 'X' borrows Rs 9,000 from 'P' and executes a promote in the name of the firm. 'X' spends the money in purchasing a plot of land in his own name for personal purpose. Can 'P' hold 'Y' liable for the debt? Give reasons.

ix) What is the effect of registration of a Limited Liability Partnership?

x) Write two differences between Company and Limited Liability Partnership.



University of Science and Technology, Meghalaya

Date Stamp: _____

SESSION: 2016-17																											
COURSE _____ PAPER Code: _____																											
NAME OF THE PAPER: _____																											
SEMESTER _____																											
Instructions to Candidates		For Objective Type Questions																									
<ol style="list-style-type: none"> This answer booklet has 4 pages. Please check before writing whether it is complete or in good condition. Do not write your name anywhere in the answer booklet. Write legibly on both sides of the paper You may use some space for any rough notes or calculation on the answer booklet if you need. These rough notes, calculations must be scored out before submitting the answer booklet. Do not bring any book or loose paper in the examination hall. Do not tear any page from the answer booklet. Do not write anything on the question paper or blotting paper or any pieces of paper while you are in the examination hall. Any act of indiscipline or misbehavior in the examination hall will result in your expulsion. No examinee is allowed to leave the examination hall until 30 minutes lapse after the commencement of the examination. Additional answer sheet will be supplied after the main answer booklet is completed. 		<table border="1"> <tr> <td>Page No.</td> <td>Marks</td> <td rowspan="10"> Session: 2016-17 Course _____ Roll No. _____ Enrollment No. _____ Semester _____ Name of the Paper _____ Paper Code _____ </td> </tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr> <td colspan="2" style="text-align: center;">Total</td> </tr> </table>	Page No.	Marks	Session: 2016-17 Course _____ Roll No. _____ Enrollment No. _____ Semester _____ Name of the Paper _____ Paper Code _____																			Total			
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Scrutinizer's Signature

Examiner's Signature

Invigilator's Signature