

LLB
SECOND SEMESTER
SPECIAL CONTRACT
LLB - 202

(USE SEPARATE ANSWER SCRIPTS FOR OBJECTIVE & DESCRIPTIVE)

Duration: 3 hrs.

Full Marks: 70

[PART-A: Objective]

Time: 20 min.

Marks: 20

Choose the correct answer from the following:

1×20=20

1. Which Section of Indian Contract Act deals with "Contract of Indemnity"?
 - a. Section 124
 - b. Section 126
 - c. Section 125
 - d. Section 150
2. In a contract of Indemnity there are:
 - a. 3 parties and one contract
 - b. 2 parties and 2 contracts
 - c. 3 parties and 3 contracts
 - d. 2 parties and one contract
3. Liability of the surety is:
 - a. conditional on default
 - b. can be conditional and can be independent
 - c. independent of default
 - d. either (a) or (b)
4. Which Section of Indian Contract Act deals with "Gratuitous bailor"?
 - a. Section 150
 - b. Section 155
 - c. Section 165
 - d. Section 152
5. A surety can be discharged from his liability by :
 - a. By Notice
 - b. By Novation
 - c. By his Death
 - d. All the above
6. Under the Sale of Goods Act, 'seller' means a person:
 - a. Who only agrees to sell goods
 - b. Who only sell goods
 - c. Who sells or agrees to sell goods
 - d. None of the above
7. The word "property" in the Sale of Goods Act means:
 - a. subject matter
 - b. ownership
 - c. movable Goods
 - d. immovable goods
8. Right of Subrogation means :
 - a. The surety will step into the shoes of the another
 - b. He is entitled to the benefit of every security which the creditor has
 - c. The surety can claim indemnity from the principal debtor
 - d. All the above
9. Lien means :
 - a. A charge
 - b. A particular status
 - c. A guarantee
 - d. A legal claim to hold property as security

10. Which Section of the Indian Contract Act, 1872 defines 'Contract of Guarantee'?
 - a. Section 124
 - b. Section 126
 - c. Section 125
 - d. Section 150
11. Which Section of the Indian Contract Act, 1872 defines 'agent'?
 - a. Section 124
 - b. Section 182
 - c. Section 185
 - d. Section 190
12. Which Section of the Indian Contract Act, 1872 defines 'principal'?
 - a. Section 144
 - b. Section 182
 - c. Section 183
 - d. Section 183
13. Which Section of the Indian Contract Act, 1872 deals 'General Lien' under contract of Bailment?
 - a. Section 171
 - b. Section 172
 - c. Section 174
 - d. Section 178
14. Which Section of Indian Contract Act, 1872 defines Pawn?
 - a. Section 172
 - b. Section 171
 - c. Section 178
 - d. Section 174
15. Under the scheme of the Indian Partnership Act, 1932 the registration of a firm is:
 - a. Optional
 - b. compulsory
 - c. Prohibited
 - d. not Required
16. Authority of the agent:
 - a. has to be expressed
 - b. has to be implied
 - c. can be expressed or implied
 - d. none of the above
17. Which Section of the Indian Partnership Act, 1932 deals with Particular Partnership?
 - a. Section 9
 - b. Section 7
 - c. Section 8
 - d. Section 10
18. An agent is a special employee who is employed to do any act for another or to represent another in dealing with any of the third person.
 - a. True
 - b. False
 - c. Partially True
 - d. None of these
19. In case of ratification the principal must ratify :
 - a. Part transaction based on necessity
 - b. the agreement of agency
 - c. whole transaction
 - d. the third party about agency
20. Principal can revoke the authority given to the agent:
 - a. at any time before the authority has been exercised
 - b. at any time after the authority has been partly exercised without liability towards the acts done
 - c. at any time after the authority has been fully exercised
 - d. all the above

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(PART-B : Descriptive)

Time : 2 hrs. 40 min.

Marks : 50

[Answer question no.1 & any four (4) from the rest]

1. Who is a Surety? Discuss the circumstances under which surety is discharged from liabilities. 2+8=10
2. What do you mean by Pledge? Who may Pledge? 2+8=10
3. Define Agent. What are the duties of an agent in a contract of agency? 2+8=10
4. Define Contract of Sale. What are the essentials of a Contract of Sale? 3+7=10
5. What do you mean by Contract of Bailment? Explain the duties of Bailee under the Contract of Bailment. 3+7=10
6. Write Short notes on: 5+5=10
 - a) Implied Conditions in a Contract of Sale
 - b) Unpaid Seller
7. What do you mean by Contract of Guarantee? Explain the essentials of a contract of Guarantee? Write four differences between Contract of Guarantee and Indemnity. 2+4+4=10
8. Write Short notes on: 5+5=10
 - a) Essentials of Partnership provided under Indian Partnership Act
 - b) Rights and duties of partner towards each other under Indian Partnership Act

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