

JUNE / JULY - 2014

Duration: 3 Hours

Max. Marks: 100

UNIT - I

1. (a) Define contracts of indemnity and guarantee and discuss their differences. **(Refer Page No.2, 7, 8, 16 to 18)**

OR

Discuss the different modes of discharge of the liability of surety. **(Refer Page No. 38 to 44)**

- (b) Write short notes on :
Continuing Guarantee. **(Refer Page No. 30, 31)**

OR

Rights of indemnity holder. **(Refer Page No. 5)**

UNIT - II

2. (a) Define pledge. State the circumstances in which a non-owner can make a valid pledge. **(Refer Page No.87, 95 to 97)**

OR

Define Bailment. What are the rights and duties of Bailor ? **(Refer Page No.54, 60 to 62)**

- (b) Write short notes on :

Right of lien **(Refer Page No.144)**

OR

Duties of Bailee **(Refer Page No.63)**

UNIT - III

3. (a) What is meant by agency by ratification ? explain the relevant rules. **(Refer Page No.120 to 122)**

OR

Explain the rights and duties of agent. **(Refer Page No.133 to 146)**

- (b) Write a short notes on :
Irrevocable Agency **(Refer Page No.177)**

OR
Personal liability of agent. **(Refer Page No.169)**

UNIT – IV

4. (a) Explain in detail the procedure of registration of firms and the consequences of its non-registration. **(Refer Page No.360 to 365)**

OR
When can a court order for dissolution of a firm? **(Refer Page No. 351 to 354)**

- (b) Write short notes on:

Types of partners. **(Refer Page No.312 to 314)**

OR
Main features of a partnership firm. **(Refer Page No. 294)**

UNIT – V

5. (a) Explain the doctrine of 'caveat emptor". State the exceptions to this rule. **(Refer Page No.215 to 222)**

OR
Who is an unpaid seller ? What are his rights ? **(Refer Page No.266 to 276)**

- (b) The Plaintiff purchased a motor car from the defendants and used the same for several months. The defendant had no title to the car and therefore, the plaintiff was compelled to give it to true owner. The plaintiff sued the defendant to recover back the price which he had already paid. Can he recover ? **(Refer Contract - II, Volume - II - Separate Book)**

OR
A asks B, a chemist, to give him hot water bottle. Subsequently, the bottle bursts and injures A's wife. Is B liable to refund the money paid by 'A'. **(Refer Contract - II, Volume - II - Separate Book)**



DECEMBER - 2014

Duration: 3 Hours

Max. Marks: 100

Instructions:

1. Answer **Q.No.9** and **any five** of the following questions.
2. Question **No. 9** carries **20** marks and the remaining questions carry **16** marks each.
3. Answers should be written either in **English** or **Kannada** completely.

1. Define Contract of guarantee and Discuss the distinctions between Contract of guarantee and Indemnity. **(Refer Page No. 7 & 16)**
2. Define Pledge. State the circumstances in which a non-owner can make a valid pledge. **(Refer Page No. 53)**
3. What is Agency by ratification? Explain its essentials. **(Refer Page No. 109)**
4. Define Partnership. Explain Rights and Duties of partners. **(Refer Page No. 292 & 335)**
5. Define Bailment and what are the Rights and Duties of Bailor and Bailee? **(Refer Page No. 53 & 59)**
6. Who is a Unpaid seller? Explain various rights of an unpaid seller. **(Refer Page No. 265)**
7. Explain the doctrine of Caveat emptor and state the exceptions to it. **(Refer Page No. 214)**

8. Write Short Note on any two of the following:

- a) Right of Lien. **(Refer Page No. 77)**
- b) Continuing guarantee. **(Refer Page No. 29)**
- c) Different types of Partners. **(Refer Page No. 310)**

9. Solve any two of the following problems:

- a) A seller undertakes to supply 200 tons of Java Sugar warranted as equal only to the sample. The sugar when supplied, correspond to the sample, but is not Java sugar. Has the buyer any remedy against the seller? **(Refer Contract - II, Volume - II - Separate Book)**

- b) A delivered 100 barrels of mustard oil to a railway at Calcutta to deliver it at Delhi to B. When the train reaches to Delhi, the said oil was destroyed by a lawful authority for the reason that it was adulterated. The railway authority failed to deliver it to B. Is the railway authority liable to give compensation for non-delivery of the oil to B? **(Refer Contract - II, Volume - II - Separate Book)**
- c) A lady took her old jewels to a Goldsmith for being converted into a new jewels. Every evening she used to receive the half-made jewels, put the same into a box and lock the same. She allowed the locked box to remain in the premises of the Goldsmith but kept the key in her possession. One night the jewels were stolen. Decide whether the Goldsmith is liable to give compensation to that lady? **(Refer Contract - II, Volume - II - Separate Book)**

