

JUNE - 2015

1. Define contract of guarantee and discuss the modes of discharge of surety from liability. **(Please refer page no.)**
2. Define Pledge. Explain the rights and duties of pledgee. **(Please refer page no.)**
3. Define Agency. Explain the modes of creation of Agency. **(Please refer page no.)**
4. Discuss the rule of Caveat Emptor with exceptions if any. **(Please refer page no.)**
5. Explain the remedies available to a seller any buyer for breach of a contract of sale. **(Please refer page no.)**
6. What do you mean by Lien? Discuss the different types of Lien available to a bailee with the help of decided cases? **(Please refer page no.)**
7. “Sharing of profit is only a Prima facie evidence to show that there exist partnership” – Discuss. **(Please refer page no.)**
8. Write short note on any two of the following.
 - a. Indemnity. **(Please refer page no.)**
 - b. Rights of finder of lost goods. **(Please refer page no.)**
 - c. Different types of agents. **(Please refer page no.)**
9. Solve any two of the following problems.
 - a. ‘A’ sells to ‘B’ a quantity of sugar lying in A’s warehouse. It is agreed that ‘B’ shall get 2 months credit. ‘B’ allows the sugar to remain in ‘A’s warehouse. ‘B’ becomes insolvent before the expiry of 2 months and the official receiver demands delivery of the sugar without offering to pay. What are the rights of ‘A’? **(Refer Contract - II, Volume - II - Separate Book)**
 - b. ‘P’, ‘Q’ and ‘R’ enter into a partnership agreement to ply motor buses on certain routes for a period of 20 years. The business was run for 4 years. It was found that during the 4 years the business resulted in a loss each year. ‘P’ however insists on the business being continued

for the remaining period. Can 'P' so insist? If he can, state the way open to 'Q' and 'R'. Who are not willing to continue the business.

(Refer Contract - II, Volume - II - Separate Book)

- c. 'Z' a wholesale cloth dealer appoints 'Y' as his agent for the sale of cloth on the basis of 5% commission on the sale made by him. 'Y' had an agreement with his principal 'Z' that he (Y) could retain the part of the sale amount to adjust the commission due to him. 'Z' terminates the agency of Y. Y refuses that he is vested with authority coupled with interest and the agency cannot be terminated. Advise Z. **(Refer Contract - II, Volume - II - Separate Book)**

DECEMBER 2015

1. What is Continuing Guarantee? Explain the various modes of discharge of surety from his liability. **(Please refer page no.)**
2. Define pledge. State the circumstances in which a non-owner can make a valid pledge. **(Please refer page no.)**
3. Discuss unpaid Seller's right of lien. How it differ from the right to stoppage in transit? **(Please refer page no.)**
4. What are the advantages and disadvantages of registration of partnership firm? Discuss. **(Please refer page no.)**
5. Explain the rights and duties of agent. **(Please refer page no.)**
6. What is bailment? Discuss the rights and duties of bailor. **(Please refer page no.)**
7. Explain the remedies available for breach of contract of sale. **(Please refer page no.)**
8. Write short notes on any two of the following:
 - (a) Sub-agent. **(Please refer page no.)**
 - (b) Implied authority of a partner. **(Please refer page no.)**
 - (c) Good-will. **(Please refer page no.)**

9. Solve any two of the following problems:

(a) 'A' advances to 'B' a minor, Rs. 1,00,000/- on the guarantee of 'C'. 'A' on demand for repayment from 'B'. 'B' refuses to pay on the ground of his minority. Can 'A' recover the amount from 'C'? Decide. **(Refer Contract - II, Volume - II - Separate Book)**

(b) Baba Company delivers 25,000 gas meter to New Bharath gas company on 2nd march, 2014 on a sale of return basis. New Bharath Gas Company returns it 2nd November, 2014. But Baba Company refuse to take it back and sues against New Bharath Gas Company for the price. Will Baba Company succeed? Decide. **(Refer Contract - II, Volume - II - Separate Book)**

(c) 'A' lends a horse to 'B' for his own riding only. 'B' allows 'C' a same member of his family, to ride the horse with care but the horse accidentally falls and is injured. Whether 'B' is to make compensation to 'A'? Give reasons. **(Refer Contract - II, Volume - II - Separate Book)**
