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8173

Reg. No. : *Vishnu*

Name :

Third Semester Integrated B.A. LL.B. Degree Examination, February 2013
Paper – V : SPECIAL CONTRACTS

Time: 3 Hours

Max. Marks: 80

PART – A

Answer **any five** of the following not exceeding **50 words each**. Each question carries **2 marks**.

1. Who is sub agent ?
2. Estoppel.
3. Presumption of agency.
4. Minor partner.
5. Bailees lien.
6. Mortgage.
7. Define contract of guarantee.
8. Ex-ship contract.

(5×2=10 Marks)

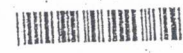
PART – B

Answer **any four** of the following not exceeding **120 words each**. Each question carries **4 marks**.

1. Distinguish sale from hire-purchase.
2. Explain the effect of non-registration of a partnership.
3. When an agency by holding out is said to be created ?
4. What are the rights of unpaid seller ?
5. What is meant by consideration for guarantee under law ?
6. When is a partnership said to be partnership at will ?

(4×4=16 Marks)

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PART - C

Answer any four of the following. Each question carries 6 marks.

1. A, B and C are partners in a trade. 'A' retires from partnership. B and C continue the business in partnership and incur debts. Can the creditors make 'A' liable for the debts?
2. 'A' goes to a bakery and buys a cake. He breaks his teeth, while eating the cake as the cake contains a stone. Discuss the right of 'A'.
3. A hired a horse for the purpose of riding in the exhibition ground. On the exhibition ground, the horse was frightened by the crowd and ran in to a ditch and injured itself. Is 'A' liable for the injury to the horse.
4. 'A' who owes Rs. 50,000/- to 'B' appoints him as agent to sell his property with an instruction to appropriate the amount due to him and to hand over the balance to 'A'. Can 'A' revoke the authority given to 'B'.
5. A contracts with 'B' for a fixed price to build a house for 'B'. 'B' supplying the necessary timber. 'C' guarantees A's performance of the contract. 'B' omits to supply timber. 'A' could not perform the contract. What is the liability of 'C'?

(4×6=24 Marks)

PART - D

Answer any three of the following. Each question carries 10 marks.

1. "Pledge is a form of bailment" – Discuss.
2. Explain the doctrine of undisclosed principal. What are the rights and liabilities of an undisclosed principal?
3. Explain conditions and warranties in a contract of sale of goods and state the consequences of breach of them.
4. Define contract of indemnity and distinguish it from contract of guarantee.
5. Enumerate the rights and liabilities of a minor admitted to the benefits of a partnership.

(3×10=30 Marks)