

Reg. No. :

Name :

**Third Semester BA LL.B/B.com LLB/BBA LLB(Five Year Integrated)
Degree Examination, October 2020**

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. Outgoing partner.
2. Non-gratuitous bailments.
3. Agency by holding out.
4. F.O.B. Contracts.
5. Pledge by non-owners.
6. Passing of risks.
7. Auction sale.
8. Subrogation.

(5 × 2= 10 Marks)

PART – B

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

9. 'Caveat emptor'
10. Difference between agent and servant.

11. Ostensible authority of agent.
12. Rights of indemnity holders when sued.
13. Rights of bailor.
14. Pawnee's rights when pawner makes default.

(4 × 4 = 16 Marks)

PART – C

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

15. A railway is in possession of goods as a carrier when an unpaid seller gives notice of stoppage in transit by the buyer of the goods. He owes money to the railway company also. Can the railway company exercise the right of lien over the goods as against right of stoppage in transit of the sellers?
16. Nikita was a customer in 'A's shop. She put her coat on a chair and forgot to take it back. One assistant of the shop took it and kept in a drawer. It was there for a week, after that Nikita came to take it back. But it was not there. Discuss the liability of 'A'?
17. Tony sought a guarantee for the fidelity of a servant from Benny. Benny, the former employer had dismissed the above mentioned servants for dishonesty, but did not disclose this fact to Tony. The servant committed another mischief on being employed under Tony. Discuss the liability of Benny.
18. Master of a ship found that the cargo of the ship was perishing. He sold the goods for the best price available at the nearest port. Is the sale valid and binding on cargo owner?
19. X, Y and Z are partners. 'Z' is a sleeping partner. He retires without giving a public notice. Is he liable for subsequent debts incurred by X and Y?

(4 × 6 = 24 Marks)

PART – D

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

20. Enumerate the rights of surety against principal debtor, creditor and co-surety?
21. Who is an unpaid seller? Explain various rights of unpaid seller?
22. Explain the grounds of dissolution of a firm.
23. What are the different modes in which relationship of agency arises?
24. Discuss the rights and liabilities of partners on dissolution of a firm?

(3× 10= 30 Marks)