

B.A., LL.B. (HONS.) SEVENTH SEMESTER EXAMINATION, JANUARY 2018

LAW OF SPECIAL CONTRACTS

Time: 3 Hours

Maximum Marks: 50

PART A

Answer ANY FIVE Questions. Each question carries FOUR marks.

(5 X 4 = 20)

- I. Explain the essential features of a contract of indemnity and enumerate the rights available to an indemnity holder.
- II. Explain the concept of bailment and enumerate the duties of a bailor of goods.
- III. Explain the characteristic features of a pledge that makes it a specialised form of bailment.
- IV. Mutual agency is an essential feature of partnership. Explain the mutual rights available to partners.
- V. Explain the position of 'capacity of parties' and 'consideration' in the contract of agency.
- VI. Enumerate and explain the conditions implied by law under the Sale of Goods Act, 1930.
- VII. 'Risk is transferred with property'. Explain the law on passing of risk and property under the Sale of Goods Act, 1930.
- VIII. What is a bill of exchange? Explain why a cheque is a bill of exchange.

PART B

Answer ANY TWO Questions. Each question carries SIX marks

(2 X 6 = 12)

- IX. Isaac finds a golden ring on the public road in front of his shop. He takes it and gifts it to his girlfriend, Rita, to impress her. Rita, who is in need of money, promptly sold it to Ajay, a jeweller. Is Isaac, Rita or Ajay able to enjoy ownership rights in respect of the ring? Decide.
- X. On the basis of Ganesh's promise to indemnify him in case of Vishnu's default, Joseph extends a loan of rupees ten thousand to Vishnu. Thereafter, Vishnu approaches Joseph for a further loan of rupees two thousand, which is given. Vishnu defaults repayment on the entire loan. Is Ganesh liable to indemnify for the default of Vishnu? Decide.
- XI. After the due date for repayment is over, Sudha is asked by Sofia to pay to her the money she owes to Iqbal. Since she had not been instructed by Iqbal to pay the said amount to Sofia, Sudha refused to pay. Iqbal subsequently ratifies the act of Sofia in asking for the amount. Is Sudha liable for wrongful refusal to repay the amount when Sofia asked for it? What is the consequence of the refusal by Sudha to pay to Sofia? Advise.

PART C

Answer ANY TWO Questions. Each question carries NINE marks.

(2 X 9 = 18)

- XII. Explain the rights and obligations of a bailee in respect of goods bailed to him.
- XIII. Explain the protection afforded to a minor in a partnership.
- XIV. Explain the protection offered under the Negotiable Instruments Act to a holder of a negotiable instrument in case of default.
