2025/05

SET A

BA LLB
SIXTH SEMESTER
SPECIAL CONTRACT
BLB – 605 H_4 [REPEAT]

[USE OMR FOR OBJECTIVE PART]

Duration: 3 hrs. **Full Marks: 70**

Objective

Time: 30 min. **Marks: 20**

Choose the correct answer from the following: ***1×20=20***

1. Indemnifier is a person who promises indemnified to save him from losses caused to him by the conduct of-
   a. Indemnifier
   b. third party
   c. indemnifier or third party
   d. indemnity holder

2. In a contract of indemnity, how many parties are essentially involved?
   a. One
   b. Two
   c. Three
   d. Four

3. The word "property" in the Sale of Goods Act means-
   a. subject matter
   b. ownership
   c. movable Goods
   d. immovable goods

4. A contract of guarantee is a contract to-
   a. Compensate the principal debtor for any loss
   b. Perform the promise or discharge the liability of a third person
   c. Insure a person against a liability
   d. Guarantee profit from a business

5. General Lien can be exercised by-
   a. Banker
   b. Wharfinger
   c. Factor
   d. All of the above

6. Which section of the Act defines a "contract of sale"?
   a. Section 2(1)
   b. Section 4(1)
   c. Section 6
   d. Section 10

7. A delivers his Motor Bike to B for repairing. Here, A is a-
   a. Bailor
   b. Bailee
   c. Pledgee
   d. Pawnor

8. If no provision is made in the agreement regarding the duration of partnership, the partnership is called-
   a. Limited partnership
   b. Particular Partnership
   c. Partnership at will
   d. None of the above

9. Unpaid seller has-
   a. No rights
   b. Right of resale
   c. Only right to sue
   d. Right to demand compensation only

10. Which of the following is NOT a characteristic of a partnership?
    a. Unlimited liability
    b. Separate legal entity
    c. Mutual agency
    d. Agreement between partners

11. What is the minimum number of persons required to form a partnership?
    a. One
    b. Two
    c. Three
    d. Four

12. In a limited partnership, the liability of limited partners is-
    a. Unlimited
    b. Limited to the amount of their investment
    c. Dependent on the terms of the partnership agreement
    d. Equal to the total debts of the partnership

13. A retiring partners has the right to carry on a business competing with that of the firm, but he cannot-
    a. Use firm's name
    b. Represent himself to be a partner
    c. Solicit firm's existing customers
    d. All of these

14. Prior to the Indian Partnership Act, 1932 which came into force from 1 October, 1932 except section69 which came into force from 1 October, 1933, the law of partnership was provided in-
    a. Sale of Goods Act, 1930
    b. Indian Contract Act, 1872
    c. Transfer of Property Act, 1908
    d. English Partnership Act, 1890.

15. Which of the following is true about the dissolution of a partnership?
    a. A partnership is automatically dissolved when one partner dies.
    b. A partnership can be dissolved by mutual agreement.
    c. A partnership is automatically dissolved if the business fails.
    d. A partnership can only be dissolved with a court order.

16. Liability of the surety is-
    a. conditional on default
    b. can be conditional and can be independent
    c. independent of default
    d. either (a) or (b)

17. Which Section of the Sale of Goods Act define 'Mercantile agent'?
    a. Section 2(9)
    b. Section 6(11)
    c. Section 4
    d. Section 8

18. A person employed to do any act for another or to represent another in dealing with a third person is called-
    a. Principal
    b. Employor
    c. Agent
    d. None of these

19. In a gratuitous bailment, the bailor must disclose known defects in the goods-
    a. Only if requested by the bailee
    b. Never
    c. Only if the goods are new
    d. Mandatorily

20. Which right is available to a bailee?

a. Right of ownership

b. Right to sell the goods

c. Right to retain the goods

d. Right to pledge the goods without consent

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Descriptive

Time : 2 hrs. 30 min. Marks : 50

[Answer question no.1 & any four (4) from the rest]

1. What do you mean by Discharge of Contract? What are the grounds which discharges the surety from his liability? 2+8=10

2. Define Contract of Sale? What are the essentials of a Contract of Sale? 3+7=10

3. What do you mean by Pledge? Who can pledge under a Contract of Pledge? 3+7=10

4. Discuss the different laws relating to incoming and outgoing partner provided under the Indian Partnership Act, 1932? 10

5. What do you mean by Contract of Bailment? Explain the duties of Bailee under the Contract of Bailment.? 3+7=10

6. Discuss the mutual rights and duties of Agent and Principal towards each other. 2+8=10

7. What do you mean by Partnership? Explain the different modes of dissolution of partnership Firm recognized under the Indian Partnership Act? 2+8=10

8. Write note on: 5+5=10
   a. Difference between Contract of Indemnity and Guarantee
   b. Partnership Firm and Limited Liability Partnership

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