

**LLB**  
**Second Semester**  
**SPECIAL CONTRACT**  
**(LLB – 204)**

**Duration: 3Hrs.**

**Full Marks: 80**

Part-A (Objective) =30  
Part-B (Descriptive) =50

**(PART-B: Descriptive)**

**Duration: 2 hrs. 30 mins.**

**Marks: 50**

**Answer the following questions:**

1. Who is a surety? What are the different ways of discharging a surety recognised under the Indian Contract Act? (3+7=10)

Or

What are the duties of a Bailee provided under the Contract of Bailment? A lends a horse, which he knows to be vicious, to B. He does not disclose the fact that the horse is vicious. The horse runs away. B is thrown and injured. Whether A is responsible to B or not? Explain. (7+3=10)

2. Define Agent. What are the duties of an agent in a contract of agency? (3+7=10)

Or

Define Principal. What are the duties of principal under a contract of agency? (3+7=10)

3. Define Contract of Sale. What are the essentials of a Contract of Sale? (4+6=10)

Or

Who is an unpaid seller? What are the rights of an unpaid seller recognised under the Sale of Goods Act? (2+8=10)

4. What is the procedure for Registration of a Partnership Firm? Under the Indian Partnership Act, some disabilities are provided in case of an unregistered firm. Explain the disabilities. (5+5=10)

Or

What are the ways by which a partner ceases to be a partner? What are the rights of an Outgoing Partner? (7+3=10)

5. What do you mean by Limited Liability Partnership? Write on nature of Limited Liability Partnership incorporated under the Limited Liability Partnership Act, 2008. (3+7=10)

Or

What are the different ways of appointing an inspector under the Limited Liability Partnership Act? What procedure is followed by the inspector in investigating the affairs of a Limited Liability Partnership? (4+6=10)

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**LLB**  
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**Duration: 30 minutes**

**Marks – 30**

**(PART A- Objective Type)**

**I. Choose the correct answer:**

**1×10=10**

- i) Which Section of the Indian Contract Act, 1872 defines 'Indemnity'?
- (a) Section 124                      (b) Section 125  
(c) Section 126                      (d) Section 150
- ii) Creditor is a person:
- (a) to whom the guarantee is given.  
(b) who gives the guarantee.  
(c) in respect of whose default the guarantee is given.  
(d) who takes credit from others.
- iii) Which Section of the Indian Contract Act, 1872 defines 'principal'?
- (a) Section 124                      (b) Section 182  
(c) Section 185                      (d) Section 190
- iv) Which of the following rights is not available to the agent?
- (a) Right to retain                      (b) Right to compensation  
(c) Right to sell                      (d) All the above
- v) Which Section of the Sale of Goods Act, 1930 defines 'Contract of Sale'?
- (a) Section 5                      (b) Section 2  
(c) Section 4                      (d) Section 8
- vi) According to the Sales of Goods Act, property means:
- (a) general property                      (b) specific property  
(c) both general and specific                      (d) none of the above
- vii) Which of the following cases laid down the test for determining the existence of a partnership?
- (a) Grace v. Smith                      (b) Waugh v. Carver  
(c) Blorean v. Pell                      (d) Cox v. Hickman
- viii) Which Section of the Indian Partnership Act, 1932 deals with Partnership at Will?
- (a) Section 5                      (b) Section 7  
(c) Section 9                      (d) Section 10

- ix) Who can appoint an inspector to investigate the affairs of the Limited Liability Partnership?
- (a) State Government                      (b) Governor  
(c) Central Government                      (d) LLP
- x) Which Section of the Limited Liability Partnership Act, 2008 defines 'body corporate'?
- (a) Section 2(1)(d)                      (b) Section 2(1)(a)  
(c) Section 2(1)(k)                      (d) Section 2(1)(m)

**II. Answer the following questions:**

**2×10=20**

- i) Who is an Indemnity Holder in a contract of Indemnity?
- ii) Write one difference between contract of Indemnity and Contract of Guarantee.
- iii) Who can employ an agent?
- iv) Who is a Del Credere Agent?
- v) What are the different kinds of Goods recognised under the Sale of Goods Act, 1930?

