

2016

LAW

(Contract - II)

Paper No. 3:3

Full Marks : 100

Pass Marks : 40

Time : 3 hours.

*The figures in the margin indicate full marks
for the questions*

Answer question no. 1 and any five questions from the rest.

1. Write notes on (any four):- 4x5
 - a) "Goods" under Sale of Goods Act, 1930
 - b) Mercantile agents
 - c) Buyer beware
 - d) Anticipatory breach of contract
 - e) Ratification
 - f) Doctrine of holding out

2. Define the term "unpaid seller". Explain in detail the rights of the unpaid seller against the goods. 16

3. a) Discuss the principles that govern an auction sale. 8
b) What are the modes by which price is ascertained in a contract of sale of goods? 8

(Please turn over)

4. Explain performance of the contract of sale of goods. Enumerate the duties of the seller and the buyer which performing the contract. 16
5. Distinguish between (*any two*): 8+8
- a) Future goods and specific goods
 - b) Partnership and company
 - c) Agent and bailee
6. Discuss the rights and liabilities of a minor admitted to the benefits of partnership. 16
7. a) State the grounds on which the court may dissolve a partnership firm at the suit of a partner. 8
- b) Discuss the effects of non-registration of a partnership firm. 8
8. Discuss the relevant provisions of the Partnership Act, 1932, that deal with the rights and liabilities of incoming and outgoing partners. 16
9. Discuss the effect, consequences and liabilities of an agency for contracts entered into through an agent with the help of the relevant provisions on agency in the Indian Contract Act, 1872. 16
10. State the facts and principles of law laid down in –
- Karsondas H. Thacker*
vs
M/s Saran Engineering
AIR 1965 SC 1981 16

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