

2019

LAW

( Special Contract )

Paper No. 3:3 (NEW COURSE)

DIMAPUR LIBRARY  
Hill View Colony  
Dimapur : Nagaland

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** the following: 4x5
  - a) Ostensible Authority
  - b) Anticipatory breach of Contract
  - c) Deceased partner
  - d) Effect of Fraud and Misrepresentation by Agent
  - e) Auction sale
  - f) Termination of agency
  
2. What is Agent? How are agency created? What are its essential elements? 4+4+8
  
3. State the various remedies available against the defaulting party in a contract of Sale of goods. 16

*(Please turn over)*

4. What is the mode of determining the existence of a partnership? State the cases in which a person receiving a share of profits is not called a partner in a firm. Illustrate your answer with decided cases. 6+10
5. Discuss the rule "*Exception to the rule of agent's immunity*". 16
6. Write not4e on:- 8+8
- a) Passing of property in case of ascertained goods
  - b) Restriction on the implied authority of a partner
7. Discuss the various duties of an agent to his principal. 16
8. What are the general rules of relations of partners to one another? 16
9. Difference of the following: 8+8
- a) Condition and warranty
  - b) Indemnity and guarantee
10. State the facts of the case and the principles of law laid down in the case of –

*Karsodas Thacker*  
vs  
*M/s Saran Engineering;*  
AIR 1965 SC 1981

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