

2023

LAW

( Special Contract )

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 short notes on **any four** the following: 4x5
  - a) Mercantile Agent
  - b) Implied condition
  - c) Auction sale
  - d) Buyer beware
  - e) Ascertainment of price
  
2. Who are Subagent and substituted Agent? Distinguish between Subagent and substituted Agent. 8+8
  
3. What is ratification? What are the conditions to be fulfilled for a valid ratification? What are the effects of ratification? 16

*(Please turn over)*

4. Discuss the essential elements of sale under the Sale of Goods Act, 1930. 16
5. Distinguish between: (Any Two) 8+8
- a) Partnership and Joint Family.
  - b) Condition and Warranty.
  - c) Partnership at will and particular partnership.
6. Write notes on (Any two) 8+8
- a) The exceptions to the general rule "Nemo Dat Quod Non Habet".
  - b) Admission of minor to the benefits of partnership.
  - c) Effect of agency on contract with third persons.
7. What do you mean by performance of Contract of Sale? What are the Seller and the Buyer's duties? 16
8. What are the rights, duties and liabilities of a partner? 16
9. Define "Partnership" and its essential elements of partnership? 8+8
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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