

Roll No



**PRESIDENCY UNIVERSITY
BENGALURU**

**SCHOOL OF LAW
END TERM EXAMINATION - JAN 2023**

Semester : Semester III - 2021

Course Code : LAW2025

Course Name : Sem III - LAW2025 - Special Contract

Program : LLB (All)

Date : 9-JAN-2023

Time : 1.00PM - 4.00PM

Max Marks : 100

Weightage : 50%

Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Question paper consists of 3 parts.
- (iii) Scientific and non-programmable calculator are permitted.

PART A

ANSWER ALL THE FOLLOWING QUESTIONS

10 X 2 = 20M

1. Who all can pledge a good?
(CO1,CO2) [Knowledge]
2. What is the difference between Guarantee and Warranty?
(CO2,CO1) [Knowledge]
3. Define Guarantee.
(CO1,CO2) [Knowledge]
4. What is lien?
(CO2,CO1) [Knowledge]
5. What is the difference between Pledge and Bailment?
(CO1,CO2) [Knowledge]
6. Who is a Sub agent?
(CO3) [Knowledge]
7. Explain who is agent and principal with the aid of illustrations
(CO3) [Knowledge]
8. What is Limited Liability Partnership?
(CO4,CO5) [Knowledge]
9. What is Contract of Sale?
(CO4,CO5) [Knowledge]
10. Does Partnership Firm have Seperate Legal identity? Doest limited Liability Partneship have Seperate Legal Identity?
(CO4,CO5) [Knowledge]

PART B

ANSWER ALL THE FOLLOWING QUESTIONS

4 X 10 = 40M

11. Karthi bails 100 hens to Raj. Raj mixes them with his own 200 hens. Then 30 hens die from the whole lot. What are the implications?
(CO2,CO1) [Comprehension]
12. Kavitha goes to DF Textile shop and purchases silk-saree. She thinks it is made of Banarsi silk the shopkeeper doesn't present it so. But the shopkeeper is aware of the misconception however refrains from correcting her. Later on, when Kavitha discovers that the saree is not made of Banarsi silks she wants repudiate the sale. Would she succeed? Give legal provisions and reasons.
(CO4,CO5) [Comprehension]
13. Explain the different ways of Termination of Agency using illustrations
(CO3) [Comprehension]
14. Differentiate between Gurantee and Indemnity with cases and examples
(CO1,CO2) [Comprehension]

PART C

ANSWER ALL THE FOLLOWING QUESTIONS

2 X 20 = 40M

15. The legal system, laws, regulations, notifications etc of Indiana is pari materia to that of India. Indiana has a small reserve of Kryptonite, a rare earth mineral with unique uses in defence purposes. The reserve is is highly guarded by the Military, and entry is restricted to selected personnel only during permitted hours. A Partnership firm formed by Puspha, Wangdu and Bahubali, named PWB Inc., engaged in rare earth minerals research, entered into contract with the Government of Indiana to conduct exclusive research of Kryptonite. Puspha being the managing Partner and the signatory authority of the firm signed the contract agreeing to indemnify for any loss that happens to the Government caused by PWB Inc. or its employees in the course of business and pledging the shares of PWB Inc. with the Government of Indiana in order to act as security for the agreement. Om, who is an expert in rare earth mineral extraction, is employed to extract Kryptonite for PWB Inc. One day a drunk Om went to the Kryptonite resere after the permitted hours and nullified the entirety of the reservoir using Vibrabium liquid. Government of Indiana served notice to Puspha to take possession of PWB Inc. to compensate for the losses. Pushpa sends a reply notice shifting the burden to Om. Government of Indiana files a case against PWB Inc. They in turn impleaded Om as additional respondent. Make Arguments Notes for any of the Party of your choosing.
(CO3) [Application]
16. Mr. Shetty is the owner of a Shetty's International School. He gives the contract of construction of new building to Mr. Ahmed. He in turn gives the work of plumbing and electrical connections to Mr Gowda. A little boy Likith of class 5 while playing near the construction area enters it and get electric shock and is admitted in hospital. There incurs huge hospital expenses. Analyse the scenerio and give different instances under the Indian Contract Act when
a) Mr. Shetty is liable
b) Mr. Ahmed is liable
c) Mr. Gowda is liable
(CO5,CO4) [Application]
