

Roll No																			
---------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--



**PRESIDENCY UNIVERSITY  
BENGALURU**

**SCHOOL OF LAW**

**MAKEUP EXAMINATION – JAN 2023**

**Course Code:** LAW 104

**Course Name:** Special Contract

**Program:** BALLB(Hons.)/BBALLB(Hons.)/BCOMLLB(Hons.)

**Date:** 23-JAN-2023

**Time:** 09.30 AM – 12.30 PM

**Max Marks:** 100

**Weightage:** 50%

---

**Instructions:**

- (i) Read the all questions carefully before answering.  
(ii) Attempt all the questions.
- 

**Part A [Memory Recall Questions]**

**Answer all the Questions. Each question carries TWO marks. (10Qx 2M= 20M)**

1. Under Section 177 when does the Pawnor has a right to redeem? (CO2) [Knowledge]
2. Discuss the validity of the pledge with a limited interest? (CO4) [Knowledge]
3. What is the remedy if the bailee, without the consent of the bailor, mixes the goods of the bailor with his own goods in such a manner that it is impossible to separate the goods bailed from the other goods and deliver them back? (CO1) [Knowledge]
4. What are the rights of the finder of goods? (CO2) [Knowledge]
5. What is a continuing guarantee? (CO1) [Knowledge]
6. Who is a merchantile agent (CO3) [Knowledge]
7. Explain the concept of Indemnity? (CO1) [Knowledge]
8. What are the rights of indemnity holder? (CO1) [Knowledge]
9. "Alan" who purchases certain goods from Kim by a misrepresentation and pledges them with "Park". Discuss (CO2) [Knowledge]
10. "Aparna" borrows Rs. 500 from the bank without security and subsequently again borrowed another Rs. 1000, but with security of certain jewellery. If "Aparna" return Rs. 1000, what rights does the banker hold in such case? (CO1) [Knowledge]

### Part B [Thought Provoking Questions]

**Answer all the Questions. Each question carries TEN marks. (4Qx10M=40M)**

11. Define Lien. What are the rights of a bailee in respect of lien? (CO2) [Comprehensive]
12. Define Agency. What are the different modes of the creation of agency?  
(C.O.No.4) [Comprehension]
13. Define Pledge and Who can make a valid pledge? (C.O.No.3) [Comprehension]
14. "A" finds a dog and make a reasonable efforts to trace the true owner, but could not find him. Later "A" sells the dog to "B", who buys it without knowing that "A" was merely a finder. Can the true owner recover the dog from "B"? Decide
- (a) Decide the principle on which the above illustration is made?
- (b) What are the rights of Mr. A being the finder of the good? (C.O.No. 2) [Comprehension]

### Part C [Problem Solving Questions]

**Answer all the Questions. Each question carries TWENTY marks. (2Qx20M=40M)**

15. "Tom" lends his horse which he knows to be vicious to "Baley". "Tom" does not disclose the nature of the horse to "Baley". The horse runs away, Baley is thrown and injured. Is "Tom" Liable
- (a) Decide the principle on which the above illustration is based?
- (b) What is the duty of Mr. Tom in the above mentioned illustration. Discuss the duty of bailor u/s 150 . (C.O.No. 3) [Application level]
16. Ajay found a defective video camera lying in a park. He pledged it with Vijay for ₹ 3,000. Mohan, the real owner, came to know about it. Mohan sued Vijay to recover his camera. Outline the remedies available to Mohan? If, Vijay had incurred ₹ 500 on repair to make the camera operational. Analyze the options available for Vijay to recover his expenses.  
(CO2)[Application]