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**Presidency University**

**Bengaluru**

**SCHOOL OF LAW**

**Make-Up Examinations, July 2024**

**Winter Semester**: III

**Course Code**: LAW2025

**Course Name**: Special Contracts

**Date**: 08/07/2024

**Time**: 9:30 AM TO 12:30PM

**Max Marks**: 100

**Weightage**: 50%

**Instructions:**

1. *Read the all questions carefully and answer accordingly.*
2. *Do not write any matter on the question paper other than roll number.*

**Part A**

**Answer any 4 Questions. Each question carries 5 marks. (4Qx 5M= 20M)**

1. Define a contract of indemnity. What are the rights of an indemnity holder under a contract of indemnity?

(C.O.1)[COMPREHSNION]

2. Who is an unpaid seller? What are the rights of an unpaid seller? (C.O.1)[COMPREHSNION]

3. What are the essential elements of a valid contract of agency? (C.O.1)[COMPREHSNION]

4. Explain the concept of bailment. What are the duties of a bailee in a contract of bailment?

(C.O.1)[COMPREHSNION]

5. Discuss the legal provisions regarding the rights of a finder of lost goods. Under what conditions can a finder of lost goods sell the goods? (C.O.1)[COMPREHSNION]

6. Discuss the rights of a surety under a contract of guarantee. Provide relevant examples.

(C.O.1)[COMPREHSNION]

**Part B**

**Answer any 4 Questions. Each question carries 10 marks. (4Qx10M=40M)**

7. What are the essential features of a pledge? How does a pledge differ from a bailment?

(C.O.No.2) [ANALYSIS]

8. Analyze the duties and liabilities of an agent towards the principal. How can an agent be held liable to third parties? Support your answer with relevant case laws. (C.O.No.3) [ANALYSIS]

9. Define Partnership. Explain in detail the rights and duties of the partners under a firm.

(C.O.No.4) [ANALYSIS]

10. Explain implied conditions and warranties provided under the Sale of Goods Act, 1930.

(C.O.No.4) [ANALYSIS]

11. Critically analyze the duties and rights of a bailee under a contract of bailment, with reference to relevant case laws. (C.O.No.3) [ANALYSIS]

12. What is limited liability partnership? Discuss the important changes brought in by Limited Liability Partnership (Amendment) Act, 2021. (C.O.No.5) [ANALYSIS]

**Part C**

**Answer any 2 Questions. Each question carries 20 marks. (2Qx20M=40M)**

13. A, B and C are partners in a partnership firm. C retires without giving public notice. D gives Rs 5,000 loan to the firm without the notice of change. Is C liable? (C.O.No.5)[APPLICATION]

14. A lends a horse, which he knows to be vicious, to B. He does not disclose the fact that the horse is vicious. The horse runs away. B is thrown and injured. Is A liable? Decide.

(C.O.No.2)[APPLICATION]

15. A guarantees payment to B of the price of five sacks of flour to be delivered by B to C and to be paid for in a month. B delivers five sacks to C. C pays for them. Afterwards B delivers four sacks to C, which C does not pay for. Is ‘A’ liable for the same. Decide.

(C.O.No.4)[APPLICATION]