



ID NO.

PRESIDENCY UNIVERSITY, BENGALURU

SCHOOL OF LAW

Weightage: 40%

Max Marks: 40

Max Time: 3 hrs.

8th May 2018, Tuesday

ENDTERM FINAL EXAMINATION MAY 2018

Even Semester 2017-18

Course : **LAW104 SPECIAL
CONTRACT**

II Sem.Law

Instructions:

- (i) Read the question properly and answer accordingly.
- (ii) Question paper consists of 3 parts.

Part A

(5 Q x 3 M = 15 Marks)

Write Short Notes:

1. Differentiate between Bailment and Pledge
2. Substituted Agent
3. Pollock's definition of Partnership
4. Vicarious Liability of Principal
5. Match the following:

Column A	Column B
1. Section 178	a. Limited Liability Partnership Act 2008
2. Sharing of Profits Between Partners	b. Pledge by Mercantile Agent
3. Designated Partner Identification Number (DPIN)	c. Cox v/s Hickman

Part B

(3 Q x 5 M = 15 Marks)

6. Explain the meaning of Pledge with its essentials. What are the various Rights conferred upon the Pledgee or Pawnee?
7. Explain in detail how an Agency can be created with relevant examples and case laws?
8. Point out the differences between Indian Partnership Act 1932 and Limited Liability Partnership Act 2008?

Part C

(1 Q x 10 M = 10 Marks)

Five persons **A, B, C, D** and **E** entered into a Partnership for a period of 7 Years and agreed to share the profits and losses equally. They further agreed that if any one of them dies before the expiry of the said period of 7 years, the others would continue the business and pay the share of the profits of the deceased of the executors. On the death of one of the partner **C**, the other surviving partners continued with the business. The executors of the deceased who did not take any part in the management of the business, were paid $\frac{1}{5}$ th share of profits made since the death of **C**. After a while the Partnership Firm suffered certain losses for which they asked that **C's** executors should also be liable to pay for the losses suffered by the firm. In this case can **C's** executors be asked to pay for the losses suffered by the Firm. Back up your answers with valid reasoning. Relevant Illustrations and case laws should also be included.

ID NO.



PRESIDENCY UNIVERSITY, BENGALURU
SCHOOL OF LAW

Weightage: 30 %

Max Marks: 30

Max Time: 2 HRS.

5th March Monday 2018

MID TERM EXAMINATION

SET A

Even Semester 2017-18 Course: **LAW 104 SPECIAL CONTRACTS**

II Sem.

Instruction:

- (i) Read the question properly and answer accordingly.
- (ii) Question paper consists of 3 parts.

Part A

(3 Q x 4 M = 12 Marks)

1. What are the essentials of Indemnity? Explain with illustrations and the case of United India Insurance Company Vs. M/s. Aman Singh Munshilal
2. Kindly explain as to how a Co-surety can be made liable under Contract of Guarantee?
3. Kindly explain the concept of Gratuitous Bailment with relevant Illustrations

Part B

(2 Q x 5 M = 10 Marks)

4. Explain in detail the Duties of the Bailee with relevant Illustrations and case laws?
5. Discuss Section 171 of the Indian Contract Act in detail? Discuss the types of Lien with Relevant case laws

Part C

(1Q x 8 M = 8 Marks)

6. M gives to N Rs. 5000 on the Guarantee of P. The loan Carries interest at ten percent per annum. Subsequently N becomes Financially Bankrupt. On N's request M reduces the interest to Six percent per Annum and does not sue N for one year after the Loan becomes due. N becomes insolvent. Can M sue P? Give reasons for your Answer