



‘समानो मन्त्रः समितिः समानी’

UNIVERSITY OF NORTH BENGAL

B.A./BBA/B.Com. LL.B. Honours 3rd Semester Examination, 2021

CONTRACT-II

PAPER CODE: CC05/CC07

Time Allotted: 3 Hours

Full Marks: 100

The figures in the margin indicate full marks.

The students are advised to follow the word limit mentioned below strictly while answering questions.

The marks will be deducted if answers exceed word limit.

16-20 marks- 400 words / 10-15 marks- 300 words / 6-9 marks- 200 words / 2-5 marks- 100 words

Attempt Question No. 7 and any four from the rest

1. (a) What is meant by goods under the Sales of Goods Act, 1930? 2+8+10
(b) What do you understand by the term Caveat Emptor? State the rights and obligations of finder of goods.
(c) Explain the nature of a Contract of Sale of Goods and bring out the distinction between a Sale and Agreement to Sell.
2. (a) Discuss the nature and definition of Agency under the Indian Contract Act, 1872. 10+5+5
Explain the Doctrine of Agency by Estoppel.
(b) Explain the kinds of Agents.
(c) When is the Agent personally liable? Discuss with the help of relevant case laws.
3. (a) Define Partnership. What are the rights of partners? 5+5+5+5
(b) Can an H.U.F become a partner in a partnership firm? Support your answer with relevant case law.
(c) Describe the relationship of Partners with Third Parties.
(d) Describe the procedure of registration of a Firm.
4. (a) Describe the essential elements of Contract of Sale. 10+5+5
(b) Elaborate the case of New India Sugar Mills V. Commissioner of Sales Tax, Bihar (AIR 1963 SC 1207).

(c) Differentiate between Contract of Bailment and Contract of Sale.

5. (a) Define the following terms:

$2\frac{1}{2} \times 4 = 10$

(i) Negotiable Instruments

(ii) Promissory Note

(iii) Cheque

(iv) Bill of Exchange.

(b) Elaborately discuss the concept of Presentment as mentioned under the Negotiable Instrument Act, 1881. 10

6. Write a Comprehensive note on rights of Bailee and rights of Pledgee with the decided case laws. 20

7. Answer any **four** of the following:

$5 \times 4 = 20$

(a) Distinction between Indemnity and Guarantee

(b) Hypothecation

(c) Del Credere Agent

(d) Nemo Dat Quod Non Habet

(e) Holder in Due Course

(f) Quantum Meruit.

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