

B.B.A. LL.B. Sem-VI (Five Year Law) (CBCS-2015 Course): *Winter-2021*
Subject: SPECIAL CONTRACT

Day: Monday
Date: 20-12-2021

Time: 02:00 PM-04:30 PM
Max. Marks: 60

W-12549-2021

N.B.

- 1) All Questions are **COMPULSORY**.
- 2) All Questions carry **EQUAL** Marks.

Q.1 a) An agent authorised by a Power of Attorney to operate a business but not to borrow money, asked for a loan on a representation that he is authorised to borrow and produced the Power of Attorney for the persual of the lender. But the lender did not read it and advanced a loan. Is the Principal bound by the loan? Answer the above questions in the light of the extent of Principal's liability towards the third parties for acts of the Agent.

OR

b) A lady, who knew that her skin was abnormally sensitive, bought a tweed coat and developed skin trouble by using it. She did not disclose to the seller that her skin was abnormally sensitive. Is the seller liable for breach of implied condition as to fitness or quality?

Q.2 a) "The Indian partnership Act has effectively ensured the registration of firms without making it compulsory." Elucidate.

OR

b) Define Pledge. Discuss the circumstances in which pledge can be made by non – owner.

Q.3 a) Define Promissory Note. Explain the characteristics of Promissory Note and compare it with Bill of Exchange.

OR

b) Discuss the rights of surety against the Creditor, Principal Debtor and Co-sureties.

Q.4 a) Write short notes :
i) Outgoing Partner
ii) Sub-Agent

OR

b) Write short notes :
i) Valid Sale
ii) Indemnity

Q.5 a) Define Bailment. Discuss in detail Bailee's right of lien.

OR

b) Discuss the law relating to bouncing of cheque for insufficiency of funds in the account.

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