

**2021**

**SPECIAL CONTRACT**

**Fourth Paper**

**Full Marks : 80**

*The figures in the margin indicate full marks.*

*Candidates are required to give their answers in their own words  
as far as practicable.*

Answer **any five** questions.

1. 'X' contracts to indemnify 'Y' against the consequences of any proceedings which 'Z' may take against 'Y' in respect of a sum of Rs. 8000/-. Explain this with the help of relevant case laws. 16
  2. Define and explain 'Contract of Guarantee'. Explain how Contract of Indemnity is different from Contract of Guarantee. 16
  3. What is Pledge? How does it differ from Bailment? Discuss the rights of pledge in regard to the property pledged. 16
  4. Explain the expression 'Agent' and 'Principal'. What are the salient features of Agency? What are the different kinds of Agents? 16
  5. Can a 'Minor' be admitted as partner of firm? If so, can he subsequently ratify or revoke such partnership? Describe the rights and liabilities of such partner. 16
  6. Discuss the mutual rights and liabilities of partners. 16
  7. What are the essential elements of partnership? Distinguish partnership from company. 16
  8. Distinguish between 'sale' and 'agreement to sell'. What do you understand by the term 'Condition'? When is Condition treated to be Warranty under Sale of Goods Act, 1930? 16
  9. Who is Unpaid Seller? Discuss in detail the rights of an Unpaid Seller against the goods. 16
  10. Write short notes on **any four**: 4×4
    - (a) Contract of Bailment
    - (b) Liability of Surety
    - (c) Doctrine of Caveat Emptor
    - (d) Partnership Firm
    - (e) Doctrine of Holding Out
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