

[Time:2.30 Hrs]

[Marks:75]

Please check whether you have got the right question paper.

- N.B:
1. All question are compulsory.
 2. Figures to the right indicate full marks.
 3. Students answering in the regional language should refer in case of doubt to the main text of the paper in English.

Q.1 A Answer the following multiple-choice questions. (Any 8) 08

1. A contract creates _____
 (a) rights in persona (b) rights in rem
 (c) only rights and no obligation (d) only obligation and no rights
2. An agreement is a voidable contract when it is _____
 (a) enforceable if certain conditions are fulfilled.
 (b) enforceable by law at the option of the aggrieved party
 (c) enforceable by both the parties.
 (d) not enforceable at all
3. An agreement not enforceable by law is said to be _____
 (a) void (b) valid
 (c) illegal (d) legal
4. S and P go into a shop. S says to the shopkeeper, C. "Let P have the goods and if he does not pay you, I will. " this is a _____
 (a) contract of guarantee (b) quasi-contract
 (c) contract of indemnity (d) rights in rem
5. Agreement to sell becomes sale
 (a) when time lapses (b) when delivery is made
 (c) when the price is not paid (d) when the price is paid
6. The position of a hire purchaser is that of a
 (a) Owner (b) Bailee (c) Creditor (d) debtors
7. Sale of Goods act applies to contract of
 (a) work and labour (b) exchange of goods
 (c) service (d) sale of goods for money consideration
8. Who is not a party to a cheque
 (a)Drawer (b) Drawee (c) Payee (d) Acceptor
9. The right of subrogation in a contract of guarantee is available to the
 (a) Creditors (b) Principal Debtor (c) service (d) Surety
10. For what term of imprisonment an offender under section 138 of the Negotiable instrument act can be punished?
 (a) 2 years (b) 1 years (c) 3 years (d) 5 years

Q.1 B State whether True or False. (Any 7) 07

1. All contracts are agreements but all agreements are not contracts.
- 2 There can be a contract even without consensus ad idem.

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| | 3. Law of contract is not the whole law of agreements nor it is the whole law of obligations. | |
| | 4. The law of contract is the law of those agreements which create obligations, and those obligations which have their sources in agreements. | |
| | 5. In a contract of sale, money is consideration. | |
| | 6. Goods can be the subject matter of the contract of sale. | |
| | 7. Contract of sale may be not be conditional. | |
| | 8. Sale gives right is persona. | |
| | 9. Re-sale is one of the remedies of an unpaid seller. | |
| | 10. Agreement to sell is an Executory contract. | |
| Q.2 | A Define Agreement? Explain Different Kind of Agreement? | 08 |
| | B Essential element of valid Contract? | 07 |
| | OR | |
| | C Difference between void and voidable contract? | 08 |
| | D Difference between agreement and contract? | 07 |
| Q.3 | A What is offer? Enumerate essentials of a valid Offer? | 08 |
| | B What are the various types of Offers? | 07 |
| | OR | |
| | C State briefly the Ingredients of Offer? | 08 |
| | D Difference between Offer and Invitation to an Offer? | 07 |
| Q.4 | A Revocation of proposal? Enumerate essentials of a valid Offer? | 08 |
| | B Who is a Minor? What are the effect of minor agreement? | 07 |
| | OR | |
| | C Define consideration? Explain its legal validity? | 08 |
| | D Define coercion? Effect of Coercion on contract? | 07 |
| Q.5 | A What are the essentials of contract of guarantee? | 08 |
| | B Explain the requisites of bailment? | 07 |
| | OR | |
| | C Write a short note on any 3 15 marks | 15 |
| | 1. Sale of goods Act | |
| | 2. Define condition | |
| | 3. Define Warranty | |
| | 4. The Negotiable instruments act, 1881 | |
| | 5. Promissory note | |