

SCHOOL OF LAW
HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH (HILSR)
JAMIA HAMDARD, NEW DELHI
End Semester Theory Examination, May/June 2024
B.A.L.L.B. IInd Semester
Law of Contract - II (B.A.L.L.B –205)

Time : 3 Hours

Maximum Marks-60

Instructions

- I. Write your Roll Number on the top immediately on receipt of this question paper.
- II. Attempt five questions selecting one from each Unit. All questions carry equal marks.

Unit-I (12 marks)

1. Write a short note on *any two* of the following: -
 - i) Essentials of an indemnity contract
 - ii) Rights of an indemnity-holder when sued
 - iii) Extent of liability of indemnifier

OR

2. Define the contract of indemnity and explain its key features. How does it differ from contract of guarantee?

Unit-II (12 marks)

3. Discuss the rights and liabilities of the parties involved in a contract of guarantee. How are these liabilities determined and discharged under the Indian Contract Act, 1872?

OR

4. Mr A, a landlord and Mr B, who is Mr. A's tenant, went to the Mr C's shop. Mr A said to Mr C "Mr. B will be on our land this year, and you will sell him anything he wants, and I will see it paid." Is this a contract of guarantee? Explain with the help of case laws the essential features of guarantee.

Unit- III (12 marks)

5. Mr. X entrusted books to Mr. Y, a bookbinder, to be bound. Mr. Y promised to return the books within 10 days. Mr. X having required to Mr. Y to deliver the books bound on 10th day, Mr. Y failed to deliver the books and the books were burnt in an accident fire on the premises of Mr. N on 11th day. In the light of this case explain the legal responsibilities of bailee in a contract of bailment.

OR

6. The position of a finder of goods is exactly that of a bailee. Comment. Also outline the duties of a finder of goods.

Unit-IV (12 marks)

7. Explore in detail the rights and duties of both the Pawner and the Pawnee in a contract of pledge. Analyze the legal implications of these rights and duties considering scenarios of default or breach.

OR

8. Mr. A has pledged his car with ABC Bank. The Bank has allowed the car to remain with Mr. A. Subsequently, Mr. A sold the car without the permission of the Bank. In the light of this case explain the essentials of contract of pledge and the rights of ABC bank against the car.

Unit-V (12 marks)

9. A, a merchant in Kolkata, has an agent, B, in Delhi, to whom a sum of money is paid on A's account, with order to remit. B retains the money for a considerable time. A, in consequence of not receiving the money, becomes insolvent. What is the extent of B's responsibility in this case? In the light of this case explain agent's responsibility towards his principal.

OR

10. Explore the rights and duties of both agent and principal in an agency relationship. Examine the legal obligations each party owes to the other and how these rights and duties may vary based on the nature of the agency.
