

# HERAMB COACHING CLASSES

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**SYBCOM/LAW**

**MARKS: 100**

**DURATION: 3HOURS**

**DATE:20/10/2018**

**Q.1 (A) State whether true or false: (any 10)**

**(10)**

1. Law of contract create jus-in-personam.
2. Contract which is enforceable at the option of other or others is a voidable contract.
3. Invitation to offer is different from standing offer.
4. Acceptance of an offer must be qualified or conditional.
5. Consideration to the contract need not be adequate.
6. Surety in the contract of guarantee is a person who takes guarantee from the creditor.
7. Acceptance of a contract may be conditional.
8. Past consideration is not a valid consideration.
9. Quasi contracts are no contract in the real sense of the term.
10. Agreement is a wider term.
11. Offer must be accepted before it is withdrawn or revoked.
12. Auction sales is a good example of a counter offer.

**Q.1 (B) Answer the following multiple choice questions: (any 10)**

**(10)**

1. A contract by person of unsound mind is  
a) Voidable                      b) void- ab -initio                      c) enforceable
2. The case of Mohori Bibi vs. Dharmodas Ghose (1903) deal with  
a) Fraud                      b) a minor's agreement                      c) a lunatics agreement
3. On attaining the age of majority a minor's agreement  
a) Can be ratified by him                      b) cannot be ratified by him                      c) becomes void
4. Mistake of foreign law is same as  
a) Mistake of Indian law                      b) mistake of facts                      c) misrepresentation of law
5. Burden of proof in case of undue influence lies with the  
a) Subordinate party                      b) dominating party                      c) third party
6. Consideration to the contract need not be  
a) Adequate                      b) inadequate                      c) as per market rate
7. An agreement without consideration is void except in case of  
a) section 10                      b) section 20                      c) section 25
8. An agreement by way of wages is  
a) Voidable                      b) valid                      c) void
9. Consideration to the contract moves at the desire of  
a) Promisor                      b) promisee                      c) third party
10. Any agreement against public policy is

a) Void                      b) valid                      c) voidable

11. A contract of life insurance is

a) A contract of indemnity      b) not a contract of indemnity      c) a wagering agreement

12. Right of lien available to the unpaid seller is

a) Particular lien                      b) general lien                      c) equitable lien

**Q.2 Answer the following: (any 2) (15)**

- 1) Who is competent to contract as per Indian contract act?
- 2) What is consent? When is consent said to be free from (i) coercion (ii) undue influence?
- 3) What are the exceptions to the general rule 'No Consideration, No Contract'?

**Q.3 Answer the following: (any 2) (15)**

- 1) Explain fully the contract of bailment and state the rights, duties and liabilities of Bailee.
- 2) Explain fully the "Contract of Guarantee" and state the rights of surety.
- 3) What are the various modes in which a surety can be discharged from the liability?

**Q.4 Answer the following: (any 2) (15)**

- 1) Explain the doctrine of 'Caveat Emptor'. Also state exception to it.
- 2) State and explain unpaid seller's right against goods.
- 3) State and explain the rights of unpaid seller against buyer.

**Q.5 Answer the following: (any 2) (15)**

- 1) State and explain the noting protest.
- 2) State and explain the types of crossing.
- 3) Explain the features of negotiable instruments.

**Q.6 (A) Explain the essentials of consideration. (10)**

**(B) Explain the essentials of acceptance. (10)**

**OR**

**Q.6 Short note: (any 4) (20)**

- 1) Noting and protest
- 2) Dishonour of Cheque for lack of funds
- 3) Special crossing of Cheque
- 4) Bills in set
- 5) Characteristics of Negotiable instrument
- 6) Holder in due course

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