

Seat No. : 1149

DA-103

December-2020

B.B.A., Sem.-V

CC-301 : Mercantile Laws

Time : 2 Hours]

[Max. Marks : 50

- Instructions :** (1) All questions in Section – I carry equal marks.
(2) Attempt any **two** questions in Section – I.
(3) Question 5 in Section – II is compulsory.

Section – I

1. (a) What is a contract ? Explain its essential elements in detail. 10
(b) Discuss various modes to discharge a contract in the Indian Contract Act. 10
2. (a) Define the terms indemnity and guarantee and discuss the difference between them. 10
(b) Explain the rights and duties of bailor and bailee under Special Contract Act. 10
3. (a) Discuss the implied conditions and warranties in detail under Sale of Goods Act, 1930. 10
(b) Write a detailed note on "Caveat Emptor". 10
4. (a) Explain the essential elements of a negotiable instrument under the Negotiable Instrument Act, 1881. 10
(b) Discuss the difference between a Bill of Exchange and a Promissory Note. 10

Section – II

5. Do As Directed : (any 10) 10
(1) An agreement with a minor is void ab initio. (True/False)
(2) An invitation of a friend to attend his birthday party is _____ under the Indian Contract Act. (a valid offer/not a valid offer)

- (3) When the offer is accepted it becomes a _____. (proposal/promise)
- (4) The term "Quid Pro Quo" is used for _____.
- A Contract
 - An Offer
 - An Acceptance
 - A Consideration
- (5) The Quasi contract is a valid contract with the absence of one or more essential elements of the valid contract. (True/False)
- (6) When the old contract is continued with the new terms, it is known as _____. (doctrine of frustration/novation)
- (7) In the contract of guarantee, there are _____ no. of contracts. (two/three)
- (8) There are _____ no. of parties in the contract of indemnity. (two/three)
- (9) The bailee in the contract of a pledge is known as a pawnee. (True/False)
- (10) The contract of sale under the Sale of Goods Act can be done only for _____. (movable goods/immovable goods)
- (11) The 'Agreement to Sell' and 'The Contract of Sale' are the two different terms. (True/False)
- (12) The contract of sale is an executed contract. (True/False)
- (13) No _____ can give a better title to the buyer than what he himself has. (buyer/seller)
- (14) When the seller has not received the payment from the buyer out of the contract of sale, then he is known as an unpaid seller. (True/False)
- (15) What is the full form of "C.I.F." ?
- (16) A cheque is a kind of Bill of Exchange. (True/False)
- (17) A promissory note contains an unconditional _____. (undertaking/ order)
- (18) A crossed cheque contains two parallel lines in the upper left corner on the face of a cheque. (True/False)
- (19) A negotiable instrument is _____. (transferable/non-transferable)
- (20) _____ is a formal certificate issued by a notary public about the dishonourment of a negotiable instrument. (Noting/Protest)