

Seat No. : _____

AT-101

May-2016

BA, BBA, B.Com., LL.B. (Int), Sem.-II

IL-111 : Law of Special Contract & Specific Relief Act

Time : 3 Hours]

[Max. Marks : 70

Instructions : (1) Answer *all* questions after carefully reading the text.
(2) Each question carries equal marks.

1. Explain in detail the meaning of Guarantee with its types and discuss in detail the difference between Indemnity and Guarantee.

OR

Discuss the mode of creation and termination of Agency.

2. State various modes of dissolution of Partnership.

OR

Define Partnership with its essentials. Differentiate in detail the difference between Partnership and Joint Hindu Family.

3. Define the meaning of condition and Warranties. Explain the implied condition as to the quality and fitness of the goods.

OR

Define Sale and Distinguish sell with agreement to sell.

4. “The Jurisdiction to decree specific performance is discretionary and court will not grant merely because it is lawful to do so” – Explain this statement.

OR

Explain the meaning of injunction and discuss in detail different kinds of Injunctions under the Specific Relief Act.

5. Solve any **two** problems with proper reasons.

- (1) An unregistered firm applied for registration on September 18, 2010. On September 21, 2010 before Registration could be affected, it filed a suit against X for recovery of ₹ 80,000. Registration Certificate was given on September 30, 2010. Is the suit maintainable ?
 - (2) X lends his motor car to Y for a drive by him only. Y allows his daughter Z, who is an expert car driver, to drive the vehicle. Z drives carefully but its axle suddenly breaks and the car is damaged. Is Y liable for the damage ?
 - (3) A finds the costly ring and after making the reasonable efforts to discover the owner, sells it to B, who buys without knowledge that A was merely a finder. Can the true owner recover the ring from B ?
 - (4) Mr. Ravi filed a suit for the Recovery of immovable property, which he was an owner, but Mr. Raj has illegally taken possession. Can court give any other additional relief than prayed ?
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