

**TILAK MAHARASHTRA VIDYAPEETH, PUNE**  
**BACHELOR OF LAWS (LL.B.) (Three Years Semester Pattern)/**  
**B.A. LL.B. (ACADEMIC LAW)**  
**(FIVE YEARS SEMESTER PATTERN) CREDIT SYSTEM**  
**EXAMINATION : MAY - 2024**  
**SECOND/SIXTH SEMESTER**  
**Sub.: Law of Contract – II (LW-202/LW 18-6001)**

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**Date : 10/05/2024**

**Total Marks : 60**

**Time: 10.00 am to 12.30 pm**

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**Instructions:** 1) All questions are compulsory.  
2) Figure indicate to the right full marks.

**Q. 1. Answer the following question. (15)**

A) What is the legal and moral duty and responsibility of a surety? Narrate the various circumstances under which a surety is discharged from his liability. Discuss this in the light of the provisions provided under the Indian Contract Act, 1872.

**OR**

B) Explain in detail the difference between Condition and Warranty as provided under the Sale of Goods Act, 1930.

**Q. 2. Answer the following question. (15)**

A) Explain in detail the provisions relating to Dissolution of a Partnership firm as provided under the Indian Partnership Act, 1932?

**OR**

B) Who is a Bailee? What are the responsibilities and liabilities of Bailee in regards to the goods which have been bailed to him? Does he have any rights?

**Q. 3. Write Short Notes. (any four) (20)**

- a) Contract of Guarantee as provided under the Indian Contract Act, 1872
- b) Breach of contract under the Sale of Goods Act, 1930
- c) Outgoing Partner
- d) Nemo dat quod non habet". Explain this maxim's rule state its exceptions?
- e) Rights of an Unpaid Seller
- f) Effect of Non Registration of a Partnership Firm

**Q. 4. Answer the following questions. (10)**

A) A, B and C are partners, C is a sleeping partner. He retires without giving a public notice. Is he liable for the subsequent debts incurred by A and B?

**OR**

B) A sells a horse to B. When B goes with the horse he is arrested by the Police on the charge of keeping stolen property as the horse belongs to C. Can B sue A and if so, on what basis, and what damages can he recover?