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Reg. No.....

Name.....

**FIVE YEAR B.A./B.Com./B.B.A., LL.B. (HONOURS) DEGREE EXAMINATION
MARCH 2025**

Third Semester

FL 5—SPECIFIC CONTRACT

(2023 Admissions—Regular/2018 to 2022 Admissions—Supplementary)

Time : Three Hours

Maximum : 75 Marks

Part A

*Write short notes on any five of the following.
Each question carries 3 marks.*

1. Continuing guarantee.
2. General lien.
3. Rights and liabilities of an undisclosed principal.
4. Agency of necessity.
5. Partnership by estoppel.
6. Effects of non-registration of a partnership firm.

(5 × 3 = 15 marks)

Part B

Answer any three of the following problems.

Each question carries 10 marks.

7. Ms. 'A' guarantees the repayment of a loan taken by her brother 'B' from a bank. Later, 'A' discovers that 'B' has concealed certain material facts about his financial situation from the bank. Can 'A' claim discharge from her liability as a surety based on the principle of "nondisclosure" ? Decide giving reasons.
8. 'P' lent his laptop to his friend, 'Q', for a week while he went on vacation. However, he failed to disclose to 'Q' that the laptop had a faulty hard drive. During Q's use, the hard drive crashed, resulting in significant data loss. Can 'Q' hold 'P' liable for the damages incurred ? Analyze the situation from the perspective of the bailor's duty of disclosure.

Turn over

9. 'X', 'Y' and 'Z' are partners in a trading firm. 'X', without the knowledge or consent of 'Y' and 'Z', borrowed Rupees one lakh from 'M', a money lender, in the name of the firm. 'X' then buys some goods for his personal household use with that borrowed money. Can 'M' hold 'Y' and 'Z' liable for the loan? Decide referring to relevant statutory provisions.
10. A doctor purchased woolen undergarment manufactured by the defendants. On wearing it, the doctor caught dermatitis due to excessive presence of some chemicals in the garment. Decide as to the nature of liability of the manufacturer in the light of statutory provisions and decided cases.

(3 × 10 = 30 marks)

Part C

Answer any two of the following questions.

Each question carries 15 marks.

11. What are the rights and obligations of a 'surety' under a contract of guarantee? Discuss with special emphasis on the nature surety's liability, right of subrogation, and defences available to the surety. When is a surety discharged from liability?
12. Define 'agency' and explain the characteristic features of the relationship of agency. What are the various modes by which agency may be created? What are the rights and duties of an agent? Under what circumstances an agent is personally liable?
13. Examine the rights and liabilities of the seller and the buyer in a contract of sale of goods. Discuss the conditions and warranties implied by law and their impact on the parties' obligations. What are the remedies available to the parties in case of breach of contract in the sale of goods?

(2 × 15 = 30 marks)