

TILAK MAHARASHTRA VIDYAPEETH, PUNE
BACHELOR OF LAWS (LL.B.) (Three Years Semester Pattern)/
B.A. LL.B. (FIVE YEARS INTEGRATED LAW COURSE)
(SEMESTER PATTERN) CREDIT SYSTEM
EXAMINATION : MAY - 2026
SECOND/SIXTH SEMESTER
Sub.: Law of Contract – II (LW-202/LW-18-6001)

Date :07/05/2026	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) Define "Bailment." Elaborate on the rights and duties of both the Bailor and the Bailee. Under what circumstances is a contract of bailment terminated?

OR

B) Define and distinguish between a "Condition" and a "Warranty" under the Sale of Goods Act. When can a breach of condition be treated as a breach of warranty? Discuss the doctrine of *Caveat Emptor* and its exceptions.

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

A) Define "Partnership." Explain the "True Test of Partnership" with reference to Section 6 of the Indian Partnership Act and the landmark case of *Cox v. Hickman*.

OR

B) Define a "Contract of Guarantee." Distinguish it clearly from a "Contract of Indemnity." Discuss the circumstances under which a surety is discharged from his liability.

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

- a) Agency by Ratification
- b) Pledge by Non-Owners
- c) Sale by Auction
- d) Sale vs. Agreement to Sell
- e) Stoppage in Transit
- f) Personal Liability of Agent

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

A) X finds a gold watch on the floor of a busy restaurant. He hands it to the manager, Y, to keep until the owner is found. After a month, the owner hasn't appeared. X asks for the watch back, but Y refuses. Who has the better right to the watch?

OR

B) A, B, and C are partners. C retires but does not give a public notice of his retirement. A and B continue the business and take a loan from a bank in the firm's name. Is C liable to the bank for this loan?