

2019

( 2nd Semester )

COMMERCE

Paper : BC-203

( Commercial Law )

Full Marks : 70

Pass Marks : 45%

Time : 3 hours

( PART : B—DESCRIPTIVE )

( Marks : 45 )

*The figures in the margin indicate full marks  
for the questions*

1. (a) What are offer and acceptance? What are the essential rules of an offer? 4+5=9

Or

- (b) Define contract. Explain the rights and duties of bailor. 1+4+4=9

2. (a) What is a contract of Sale of Goods as defined under the Sale of Goods Act, 1930? Also distinguish between sale and agreement to sell. 2+7=9

Or

(b) Who is an unpaid seller? Explain the rights of an unpaid seller. 2+7=9

3. (a) Define partnership. Discuss the essential elements of a partnership. 2+7=9

Or

(b) Discuss the rights and liabilities of partners in a partnership firm.  $4\frac{1}{2}+4\frac{1}{2}=9$

4. (a) Distinguish between a Promissory Note and Bill of Exchange. 9

Or

(b) What is crossing of a cheque? Elaborate on different types of crossing. 3+6=9

5. (a) Explain the salient features of the Consumer Protection Act, 1986. 9

Or

(b) Write a note on FEMA, 2000.

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COMMERCE

Paper : BC-203

( Commercial Law )

( PART : A—OBJECTIVE )

( Marks : 25 )

*The figures in the margin indicate full marks for the questions*

1. Choose the correct answer by putting a Tick (✓) mark in the brackets provided : 1×10=10

(a) Definition of an agent is given in

(i) Section 182 ( )

(ii) Section 192 ( )

(iii) Section 180 ( )

(iv) Section 172 ( )

- (b) Agreements in restraint of trade are
- (i) valid ( )
  - (ii) void ( )
  - (iii) lawful ( )
  - (iv) legal ( )
- (c) A mercantile agent to whom goods are entrusted for sale and enjoys wide discretionary powers in relation to sale, is called
- (i) commission agent ( )
  - (ii) del credere agent ( )
  - (iii) factor ( )
  - (iv) broker ( )
- (d) The partner who lends his name to the firm without having any real interest in it is known as
- (i) sleeping partner ( )
  - (ii) nominal partner ( )
  - (iii) minor partner ( )
  - (iv) sub-partner ( )
- (e) The term 'price' is defined under which of the following sections of the Sale of Goods Act, 1930?
- (i) 9 ( )
  - (ii) 10 ( )
  - (iii) 2 (10) ( )
  - (iv) 2 (6) ( )

(f) An offer made by words spoken or written is called

(i) verbal contract ( )

(ii) written agreement ( )

(iii) express agreement ( )

(iv) implied agreement ( )

(g) Which of the following is/are the characteristics of a Negotiable Instrument?

(i) Property ( )

(ii) Defects in title ( )

(iii) Payable to order ( )

(iv) All of the above ( )

(h) The Consumer Act 1986 defines 'consumer' under the section is

(i) 3 (1) ( )

(ii) 2 (1) (d) ( )

(iii) 4 ( )

(iv) 3 (a) ( )

- (i) Contract of sales of goods is defined under the
- (i) Section 4 of the Sales of Goods Act, 1930 ( )
  - (ii) Section 4 of the Sales of Goods Act, 1932 ( )
  - (iii) Section 4 of the Sales Goods Act, 1956 ( )
  - (iv) Section 4 of the Sales of Goods Act 1986 ( )
- (j) Which firm is formed by contractual agreement among partners?
- (i) Partnership firm ( )
  - (ii) Sale traders ( )
  - (iii) Joint-stock company ( )
  - (iv) None of the above ( )

2. State whether the following statements are *True (T)* or *False (F)* by putting a Tick (✓) mark : 1×5=5

(a) 'Uberrimae fidei' means utmost total faith among partners while creating partnership.

( T / F )

(b) Only 'goods' can be the subject matter of a contract of sale.

( T / F )

(c) Endorsement can be made on the face of the instrument only.

( T / F )

(d) A contract formed by means of coercion is voidable.

( T / F )

(e) An unpaid seller is one to whom the whole or part of the amount is due.

( T / F )

3. Write short notes on any *five* of the following :  $2 \times 5 = 10$

(a) Capacity of parties

(b) Void-ab-initio



(c) Right to lien

(d) Crossing of a cheque

(e) Pledge

(f) Proposal

(g) Consumer

(h) Authorized persons under FEMA

(i) District forum

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