

TIME: 3 (Three) Hours

Full Marks: 100

Indian Contract Act, 1872 Indian Evidence Act, 1872 Assam Frontier (Administration of Justice) Regulation, 1945

Group –A  
(Compulsory Group)

**Q. No.1** Attempt any 10 (ten) from the following: 10x2=20

- a. Distinguish between Bailment and pledge.
- b. "Undue influence is a subtle form of coercion." Discuss.
- c. "Acceptance is to an offer is what a stick of match box is to the heap of gun-powder." Explain.
- d. What is the status of a "finder of goods" under the Indian Contract Act, 1872. What are his rights?
- e. Distinguish between general lien and particular lien.
- f. "All contracts are agreements but all agreements are not contracts." Explain.
- g. "Agreements in restraint of trade is void." Discuss.
- h. What do you mean by 'leading question'? Explain with the help of illustrations.
- i. What documents may be used by a witness to refresh his memory?
- j. Discuss in brief the relevancy of Expert opinion under Indian evidence Act, 1872.
- k. Discuss 'Fact in Issue' and 'Relevant Facts' under Indian Evidence Act, 1872.
- l. Explain in brief the public duties of 'village authorities' under Assam Frontier (Administration of Justice) Regulation, 1945.

**Q.No.2** Attempt any 4(four) from the following: 4x5=20

- a. Examine briefly the position of minor with regard to contract entered into by him under Indian Contract Act, 1872. Support your answer with the help of decided cases.
- b. When is communication of proposal, acceptance and revocation completes? What are the grounds for proposal stand revoked?
- c. What do you understand by the doctrine of "supervening impossibility"? Under what circumstances the supervening impossibility may arise?
- d. Explain in brief about the hearsay evidence and also the various grounds of exclusion of hearsay evidence.
- e. Discuss the power of village authority for the criminal proceedings under Assam Frontier (Administration of Justice) Regulation, 1945
- f. Explain in brief primary and secondary evidences under Indian Evidence Act, 1872.

**Q. No. 3** Attempt any 4(four) from the following: 4x5=20

- a. Explain the power of Deputy Commissioner and Assistant Commissioner for Civil Proceedings under Section 38 & 39 of the Assam Frontier (Administration of Justice) Regulation, 1945.
- b. Discuss the doctrine of Estoppel and its exceptions under the Indian Evidence Act, 1872.
- c. Explain in brief the facts which need not to be proved.
- d. Distinguish between fraud and misrepresentation.

- e. Describe briefly the various modes by which an agency may be terminated.
- f. Briefly explain the duties of an agent towards his principle. What are his Rights against the principal?

**Q.No.4** Attempt any 4(four) from the following:

4x5=20

- a. What is agency by ratification? What are the requisites of valid ratification?
- b. Discuss the nature and extent of surety's liability under Indian Contract Act, 1872. Support your answer with the help of decided cases.
- c. What do you mean by the term *Res Gestae* ? Explain the concept with the help of leading cases on the subject.
- d. "An invitation to treat is not an offer." Explain this statement with the help of decided cases.
- e. Discuss the provisions relating to motive, preparation and conduct under the Indian Evidence Act, 1872.

**Q. No. 5** Attempt any 4(four) from the following:

4x5=20

- a. Explain the doctrine of '*Quantum Meruit*.' Are there any limitations to this doctrine?
- b. What do you understand by the performance of the contract? By whom, contract must be performed?
- c. Explain the doctrine of Privity of Contract. What are the exceptions of this doctrine?
- d. Distinguish between cross-examination and Re-examination.
- e. Discuss briefly the privileged communication between husband and wife under the Evidence Act, 1871.
- f. Discuss the appeals from village authority under Assam Frontier (Administration of Justice) Regulation, 1945

**Q. No.6.** "An agreement without consideration is void." Explain this rule with the help of decided cases on the subject and state the exceptions, if any.

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**Q.No.7.** Distinguish between 'admission' and 'confession'. What is extrajudicial confession? Mention the evidentiary value of extrajudicial confession. Support your answer with the help of relevant case laws.

(20)

**Q.No.8.** Discuss the admissibility and evidentiary value of dying declarations. Explain whether conviction can be based on such a dying declaration.

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