

**DIRECTORATE OF DISTANCE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD**

***Post-Graduate Diploma in Drafting, Negotiation & Enforcement of Contracts
(Batch 2020 – 2021)***

Take Home – Supplementary Examination (November, 2021)

Paper II – 1.2. Law Related to Specific Contracts

TOTAL MARKS: 100

INSTRUCTIONS TO CANDIDATES

- a) Read the instructions for Take Home Examination carefully and adhere to the same.
 - b) *Please mention your name, ID No., subject name and total number of pages on the Answer Sheet.*
 - c) *Clearly indicate the question numbers while answering them.*
 - d) *Answer all the four questions and each question carries 25 marks.*
 - e) *The approximate word limit for a 25 marks question is 800-1000, for a 15 marks question, 600-700 and for a 10 marks question 400-500.*
 - f) *All the candidates are required to submit only word / Pdf files containing the typed answers.*
 - g) *All papers will be uploaded on Turn-it-in for plagiarism check. Any paper with more than 15% similarity will be considered to be plagiarized and shall not be evaluated.*
 - h) *Since this is a take home exam, we expect your answers to be analytical rather than straight answers.*
 - i) Copying from any source including from other students is strictly prohibited. Plagiarism is considered as a serious academic mis-conduct and the University will take action as it deems fit.
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1. (A) Distinguish between a contract of indemnity and guarantee? **(10 Marks)**
(B). Explain the concept of particular lien and when is it applicable? **(15 Marks)**
2. Mr. X stands as a surety for a loan of 50 lakh rupees taken by Mr. Y. Y fails to pay the amount and because of interest it becomes 70 lakhs. The bank sues X the surety for the recovery of the amount. X puts forward the following two defences:
 - (i) That first the bank should recover the amount from the Y and his liability would arise only if the bank cannot recover the amount from him.
 - (ii) He is liable to pay 50 lakhs only and not 70 lakhs.

Give your opinion with respect to the above mentioned defences made by Mr. X.
(25 Marks)

3. What is the importance of a contract of agency? How would you distinguish between a servant, independent contractor and agent? Discuss the duties of an agent towards his principal. **(25 Marks)**
4. Is a tender floated by anyone an offer or an invitation to make an offer? Give reasons. Also explain the requirements of a valid tender. **(25 Marks)**