



Institute of Management
JK Lakshmipat University
Jaipur



MID TERM II EXAMINATION OCTOBER 2018

BCOM (Hons) Sem- III
MM: 20 Marks

Course: Business Law
Time: 90 Minutes
Subject code: GN18

Instructions:

1. Attempt any three questions from Section A.
2. Section B is compulsory.

Section A

- Q1. What are the powers available under the consumer protection act for dispute redressal of consumer grievances? Also Describe the process of filing a consumer complaint. (4)
- Q2 Define various types of Goods? What are the rules in case of the goods perish before and after making Contract of Sale of goods? (4)
- Q3 Write a short note on Rights of Unpaid Seller, according to Sales of goods act, 1930. Give examples of Right to Lien. (4)
- Q4 (A) The delivery of goods doesn't mean an acceptance of goods. Comment.
(B) State whether a person purchasing of a sewing machine for earning her livelihood is a consumer? Explain its basis of filing or non-filing of a case, as per consumer protection act. (4)

Section B

Q5. Case Questions (2+3+3)

Case 1. Mr. Gill visited a café with a friend who ordered a bottle of ginger-beer for him. Mr. Gill drank part of its contents and when the remainder was of dark glass, a snail in a state of decomposition floated out the bottle. Mr. Gill suffered from shock and gastro-enteritis. Decide whether Mr. Gill can claim damages and from Whom?

Case 2. Amit sells to Sachin horse which is to be delivered to Sachin the next week. Sachin is to pay the price on delivery. In the next week, Sachin was ready to pay the price for the horse but Amit was not in a position to deliver the horse to Sachin. Amit asks Sachin to take delivery of the horse after another week and pay the price then. During the second week, the horse dies before it is delivered and paid for. Who shall bear the loss? Explain according to suitable Act and provision of Indian Laws.

Case 3. A car dealer issued an advertisement-that a person could enter a contest by booking a particular branded car. On the specified dates, draws would be held and the persons who are successful in the draws would be entitled to two free tickets from Mumbai to New York and back. Hari, who purchased the car and entered the contest was declared a winner of the draw. But the tickets were not delivered to him and therefore, he filed a complaint under the Act, Will he succeed Present your views and support evidently?