

Mercantile Law

Foundation Examination
Spring 2012
Module B

5 March 2012
100 marks - 3 hours
Additional reading time - 15 minutes

Instructions to candidates:

- (i) All the Questions from Section-A are compulsory.
- (ii) Attempt any FOUR out of SIX Questions from Section-B.

Section A

Q.1 Select appropriate answer from the options available for each of the following multiple choice questions (MCQs). Each MCQ carries ONE mark.

- (i) A positive assertion, in a manner not warranted by the information of the person making it, of that which is not true, though he believes it to be true is said to be a:
(a) fraud (b) misrepresentation (c) mistake (d) misinterpretation
- (ii) According to the Sale of Goods Act, 1930 documents of title to goods include:
(a) bill of lading. (b) railway receipt.
(c) warehouse keeper's certificate. (d) all of the above.
- (iii) A minor can:
(a) be an agent (b) be a principal (c) both (d) none
- (iv) In the case of goods sold on sale or return basis, the property in goods passes:
(a) when price is paid. (b) when goods are delivered.
(c) when approval is conveyed. (d) in all of the above cases.
- (v) Partnership is:
(a) the relationship between persons who have agreed to share the profits of jointly owned property managed by all or any of them acting for all.
(b) the relationship created by an agreement between a banking company and person(s) providing for sharing of profit and loss arising from the finance provided to such person(s).
(c) both of the above.
(d) the relation between persons arising from a contract who have agreed to share the profits of a business carried on by all or any of them acting for all.
- (vi) The consent is said to be free when:
(a) two or more persons agree upon same thing in the same sense.
(b) all parties to the contract benefit from the contract.
(c) it is not the result of coercion or undue influence or fraud or misrepresentation or mistake.
(d) all of the above.
- (vii) What are the consequences of resale of goods by unpaid seller where he expressly reserves such right in case of buyer's default?
(a) The original contract of sale is rescinded.
(b) The new buyer acquires a good title thereto.
(c) The seller may claim damages based on the original contract of sale.
(d) All of the above.



Mercantile Law Objective Question Answers

Jianjun Gao



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Negotiable Instruments 5 Discharge of Negotiable Instruments 6 Hundis 7 Banker and Customer Law of Insolvency General Introduction of Provincial Insolvency Act 1920 1 Law of Insolvency Introduction 2 Presentation of Petition 3 Insolvent s Property and Debts 4 Discharge of Insolvent Arbitration and Conciliation Ordinance 1996 1 Arbitration and Conciliation Ordinance 1996 Indian Partnership Act 1932 1 An Introduction to Indian Partnership Act 1932 Section 1 8 2 Partnership Deed or Mutual Relations of Partners Sections 9 17 3 Rights and Duties of Partners and Relation to Third Parties Sections 18 29 4 Kinds of Partners Sections 31 38 5 Dissolution of a Firm Sections 39 55 6 Registration of Partnership Sections 56 72 M R T P Act 1969 1 The Monopolies and Restrictive Trade Practices Act 1969 2 The Monopolies and Restrictive Trade Practices Commission 3 Prohibition of Monopolistic Restrictive and Unfair Trade Practices The Foreign Exchange Management Act 2000 FEMA 1 The Foreign Exchange Management Act 2000 Insurance Law 1 Law of Insurance An Introduction 2 Life Insurance 3 Fire Insurance 4 Marine Insurance

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2012 The Consumer Protection Act 2019 1 The Consumer Protection Act 2019 Indian Partnership Act 1932 1 An Introduction to Indian Partnership Act 1932 Section 1 8 2 Partnership Deed or Mutual Relations of Partners Sections 9 17 3 Rights and Duties of Partners and Relation to Third Parties Sections 18 29 4 Kinds of Partners Sections 31 38 5 Dissolution of a Firm Sections 39 55 6 Registration of Partnership Sections 56 72 The Limited Liability Partnership Act 2008 1 The Limited Liability Partnership Act 2008 An Overview Intellectual Property Rights Act 1 Intellectual Property Rights Act Copy Right Patent and Trade Mark Act **Business Regulatory Framework - SBPD Publications** Dr. B. K. Singh, ,Dr. A. Tiwari,2021-10-13 Unit I Indian Contract Act 1872 1 Business Mercantile Law An Introduction 2 Indian Contract Act 1872 An Introduction 3 Contract Meaning Definition and Characteristics of a Valid Contract 4 Agreement Meaning Kinds and Difference 5 Proposal Offer Acceptance Communication and Revocation 6 Capacity of Parties to Contract or Parties Competency to Contract 7 Free Consent 8 Lawful Consideration and Objects 9 Agreements Expressly Declared as Void 10 Contingent Contracts 11 Performance of Contracts and Appropriation of Payments 12 Discharge of Contracts 13 Quasi or Implied Contracts of Certain Relations Resembling those Created by Contracts Sections 68 to 72 14 Remedies for Breach of Contract Unit II Special Contracts 15 Contract of Indemnity and Guarantee 16 Contract of Bailment and Pledge 17 Contracts of Agency Unit III The Sale of Goods Act 1930 18 The Sale of Goods Act 1930 An Introduction 19 Conditions and Warranties 20 Effects of the Contract of Sale Transfer of Ownership and Title 21 Performance of Contract of Sale 22 Remedial Measures and Auction Sale Unit IV The Negotiable Instruments Act 1881 1 Negotiable Instruments Act 1881 Introduction 2 Parties to a Negotiable Instruments 3 Negotiation 4 Presentment and Dishonour of Negotiable Instruments 5 Discharge of Negotiable Instruments 6 Hundis 7 Banker and Customer Unit V The Consumer Protection Act 1986 1 The Consumer Protection Act 1986 Unit VI The Foreign Exchange Management Act 2000 FEMA 1 The Foreign Exchange Management Act 2000

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Table of Contents Mercantile Law Objective Question Answers

1. Understanding the eBook Mercantile Law Objective Question Answers
 - The Rise of Digital Reading Mercantile Law Objective Question Answers
 - Advantages of eBooks Over Traditional Books
2. Identifying Mercantile Law Objective Question Answers
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Mercantile Law Objective Question Answers
 - User-Friendly Interface
4. Exploring eBook Recommendations from Mercantile Law Objective Question Answers
 - Personalized Recommendations
 - Mercantile Law Objective Question Answers User Reviews and Ratings
 - Mercantile Law Objective Question Answers and Bestseller Lists
5. Accessing Mercantile Law Objective Question Answers Free and Paid eBooks
 - Mercantile Law Objective Question Answers Public Domain eBooks
 - Mercantile Law Objective Question Answers eBook Subscription Services
 - Mercantile Law Objective Question Answers Budget-Friendly Options

6. Navigating Mercantile Law Objective Question Answers eBook Formats
 - ePub, PDF, MOBI, and More
 - Mercantile Law Objective Question Answers Compatibility with Devices
 - Mercantile Law Objective Question Answers Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Mercantile Law Objective Question Answers
 - Highlighting and Note-Taking Mercantile Law Objective Question Answers
 - Interactive Elements Mercantile Law Objective Question Answers
8. Staying Engaged with Mercantile Law Objective Question Answers
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Mercantile Law Objective Question Answers
9. Balancing eBooks and Physical Books Mercantile Law Objective Question Answers
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Mercantile Law Objective Question Answers
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Mercantile Law Objective Question Answers
 - Setting Reading Goals Mercantile Law Objective Question Answers
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Mercantile Law Objective Question Answers
 - Fact-Checking eBook Content of Mercantile Law Objective Question Answers
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements

- Interactive and Gamified eBooks

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