

**SVKM'S NMIMS UNIVERSITY
SCHOOL OF DISTANCE LEARNING**

PROGRAM (Semester): DBFM (II)/ PGDBFM (II)/ ADBFM (II)

Subject: Legal Aspects of Banking

Marks: 100

Time : 3 hrs

Date: 04.06.09

(11.00am to 2.00pm)

Instructions: Candidates should read carefully the instructions printed on the question paper and on the cover of the Answer Book, which is provided for their use.

NB

1. Answer to each new question to be started on a fresh page.
2. Figure in brackets indicate full marks.

Q 1. Attempt any 2 out of any 4

(Marks: 10)

- a) State briefly the provisions of Contract Act relating to Offer & Acceptance. What is an invitation to offer?
- b) No Consideration, no Contract. Discuss.
- c) Discuss between Coercion and Undue Influence.
- d) Distinguish between Mistake of Law and Mistake of Fact.

Q 2. Write Short notes on any 3 out of 5

(Marks: 15)

- a) Quantum MERUIT
- b) Caveat Emptor
- c) Debentures
- d) Hire Purchase and Installment Purchase
- e) Consumer Disputes Redressal Agencies

Q 3. Answer the followings (each carrying equal marks)

(Marks: 45)

a) An Agreement enforceable by Law is a Contract-Explain the statement with reference to the essential elements of a valid Contract

OR

Explain the role of "Free Consent" in the formation of valid contract.

b) INDEMNIFIER becomes liable as soon as the liability of indemnity holder becomes absolute-Discuss in details.

OR

"A Contract of indemnity is a contingent Contract"-analyze the statement in detail.

c) Define Contract of Sale. Distinguish between Sale and Agreement to Sell.

OR

Explain the term "Goods" as defined in the sale of Goods Act.

Q 4. Answer the following in details (**each carrying equal marks**) (Marks : 30)

a) "Prospectus of a public Limited company is an invitation to an offer and not an offer"- Explain the concept in detail with reference to the Civil and Criminal liabilities of signatories of the above mentioned document (Prospectus).

b) Discuss the important articles of "TRIPS"

OR

Discuss the difference between "FERA" and "FEMA" and its importance in our economy.

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