

- N.B. :** (1) **Attempt** any **four** questions.  
(2) **All** questions carry **equal** marks.  
(3) Cite relevant **case laws** where necessary.

1. State the predominant role of the UNCITRAL Model Bye law and the Rules in enactment and interpretation of the Arbitration and Conciliation Act of 1996. Enumerate and discuss on the objectives of the Act.
2. Briefly discuss on the fundamental theories of contract. Elaborately discuss this statement, "Every contract is an agreement but every agreement is not contract".
3. Define and explain the concept of "Consideration". "A stranger to contract cannot sue upon a contract but a stranger to can sue upon it". Critically examine this statement in the context of English and Indian law of contract.
4. The main object of Arbitration and Conciliation Act, 1996 is to minimize supervisory role and intervention of the Courts in the arbitral process. To what extent the jurisdiction is conferred upon the Court for the statutory intervention. State the difference in position under the Arbitration Act, 1940, and Arbitration and Conciliation Act, 1996.
5. Analyze the theory of "Unjust Enrichment with reference to the doctrine of "restitution". Explain the nature of "quasi contractuai obligations" under the English law and "certain relation resembling those created by contract" under the Indian law.
6. Write short notes on **any three** of the following :
  - (a) Distinguish between Coercion and Undue influence.
  - (b) Status and Qualifications of an Arbitrator.
  - (c) Arbitration Agreement and Arbitration clause in Arbitration Agreement. .
  - (d) Disqualification / Removal of Arbitrators.
  - (e) Quasi contract and doctrine of restitution.

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