

THE OPEN UNIVERSITY OF SRI LANKA
LL.B DEGREE PROGRAMME - LEVEL VI
1st CONTINUOUS ASSIGNMENT TEST -2008/2009
COMMERCIAL LAW - LWU 4324
DURATION - 40 MINUTES



Date: 16th October 2008

Time: 11.30 a.m. – 12.10 p.m.

Answer ONE question only.

Candidates will be penalized for illegible handwriting.

- (1) 'The language of the Sale of Goods Ordinance, No. 11 of 1896 shows that it is not necessarily meant to protect the seller in any manner whatsoever'

Do you agree with the above statement? Your answer should be supported by statutory provisions and case law, if any.

- (2) Consider the rights and liabilities of various parties, in the following situations.
- (a) Kamal purchased a car from Nuwan and immediately sold it to Thusira. However, Nuwan has filed an action against Kamal to avoid the contract on the ground that he intended to contract with someone other than Kamal.
- (b) Aruna, sold a consignment of ripe tomatoes to Ruchira on 10th October 2008. However, the price has not been paid upto now.
- (c) Bimal sold a Television to Amanda for Rs.1, 20,000 / =. However, unknown to Amanda it had already been pledged to Saman by Bimal.
- (d) Kanchana, agreed to sell 200 bags of freshly ground Kurakkan flour to Tony. However, before the delivery took place the bags of Siamese flour became contaminated with some pesticide.