

# **COMPULSORY PAPERS**

## **Paper 1.1**

### **CONTRACT – I**

#### **GENERAL PRINCIPLES OF CONTRACT (Section 1-75 & Specific Relief Act)**

**Max. Marks: 100**

**Min.**

**Marks: 36**

Note:

- a. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
- b. Leading cases prescribed under this paper may be read whenever they are relevant.

1.
  - (a) Meaning, Elements and Characteristics of contract.
  - (b) Basis of Contract
  - (c) Classification of Contract, Including the standard form of contracts.
2.
  - (a) Proposal : Meaning, Elements and Characteristics of Proposal, Distinction between Proposal and Invitation of Proposal.
  - (b) Acceptance: Meaning, Mode and Characteristics of Acceptance.'
  - (c) Communication, Revocation & Termination of Proposal & Acceptance.
3. Consideration:
  - (a) Meaning, Definition and Elements of Consideration.
  - (b) Unlawful consideration and object.
  - (c) Concept of stranger to contract & exception of privity rule.
  - (e) Exception to consideration.
4. Capacity to Contract:
  - (a) Who cannot make a Contract, Who is minor and the place of minor under the law of Contract.
  - (b) Person of unsound mind, nature of contract by person of Unsound Mind.
  - (c) Person deprived of the capacity of contract.
5. Free Consent:
  - (a) Meaning of Consent and the free Consent.
  - (b) Factors rendering Consent not free and their effect upon the validity of Contract.

Void Agreements:

  - (a) Agreements in restraint of marriage : Freedom of trade and right to initiate legal proceedings.
  - (b) Agreements involving uncertainty, wager and impossibility. Contingent Contract.
6. Certain relations resembling to those created by Contract

(Quasi -Contract).

7. Performance of Contract:

- (a) Who is liable to perform joint rights and joint liability and performance of reciprocal promises.
- (b) Time, Place and Manner of Performance.
- (c) Discharge from liability to perform the contract.

8. Breach of Contract :

- (a) Meaning and Kinds
- (b) Remedies for breach of contract-
  - (1) Damages - Measure of damages and remoteness of damages
  - (2) Specific Performance of Contract and Injunctions under Specific Relief Act.

**LEADING CASES :**

- 1. Carlill v. Carbolic Smoke Ball Co. (1843) I.Q.B. 256.
- 2. Mohri Bibee v. Dharmodas Ghose, 30 : I.A. 116.
- 3. Satyabrate Ghosh v. Mugneeram, A.I.R. 1954, S.C. 44
- 4. Lalman Shukla v. Gauri Dutt (1913) 11, ALL L.J. 489
- 5. Bhagwan Das v. Giridhari Lal & Co., A.I.R. 1966

**SUGGESTED READINGS :**

- 1. D.F. Mulla : The Indian Contract Act (Student Edition)
- 2. T. R. Desai : The Indian Contract Act Sale of Goods Act & Partnership Act.
- 3. Pollock & Mulla : Indian Contract Act the Sale of Goods Act & Partnership Act.
- 4. Atiyah P.S. : An Introduction to the law of Contract.
- 5. Pollock : Principles of the Law of the Contract.
- 6. Pollock & Mulla : Indian Contract Act and Relief Act.
- 7. V.G. Ramchandra : The Law of Contract in India.
- 8. P.R. Desai : Principles of Law of Contracts.
- 9. Avtar Singh : Law of Contract
- 10. Avtar Singh : संविदा विधि
- 11. I.C. Saxena : संविदा विधि
- 12. Kapoor S.K. : संविदा विधि
- 13. R.L. Bhatt : संविदा विधि
- 14. Dr. Y.S. Sharma : संविदा विधि

