

COMPULSORY PAPERS

Paper 1.1

CONTRACT – I

GENERAL PRINCIPLES OF CONTRACT (Section 1-75 & Specific Relief Act 1963)

Max. Marks: 100
36

Min. Marks:

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 1963.

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

