Paper 2.4

LAW OF CONTRACT – II

(Indian Contract Act, Indian Partnership Act, Sale of Goods Act and Specific Contracts)

Max. Marks: 100   **Min. Marks: 36**

Note :

1. 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.
2. Leading cases prescribed under this paper may be read whenever they are relevant.

Contract of Indemnity and Guarantee:
   (a)   Meaning, Distinction between indemnity and guarantee and kinds aguarantee.
   (b)   Rights of Indemnity holder.
   (c)   Rights of the surety, Extent of the Liability of the surety.
   (d)   Discharge of liability of the surety.
2.   Contracts of Bailment and Pledge :
   (a)   Meaning & Kinds of Contract of Bailment – Bailment without consideration.
   (b)   Rights and Duties of Bailee and Bialer.
   (c)   Termination of Contract of Bailment.
   (d)   Position of the finder of the goods under law.
   (e)   Contract of Pledge – Meaning and definition, Pledge by Unauthorised Persons.
3.   Contract of Agency :
   (a)   Definition, Kinds and Modes of creation of Agency.
   (b)   Relation between –
         (i)   The Principal and the Agent
         (ii)   The Principal and Third Party
         (iii) The Agent and the Third Party
   (c)   Determination of Agent's authority -
         (i)   By act of Parties ; and
         (ii)   By operation of Law – Irrevocable Authority.
4.   Contract of Sale of Goods :
   (a)   Sale – Meaning, Definition and Elements.
   (b)   Agreement of Sell, Hire- Purchase, Agreement and a Contract and a Contract for work and labour- meaning and distinction from sales.
   (c)   Goods – Existing, Future and Contingent.
   (d)   Condition and Warranties.

(e)   Passing of Property and Risk from seller to buyer.
(f)   Sale by Unauthorised person.
(g)   Law relating to performance of sale.
(h)   Rights of unpaid seller.
5.   Contract of Partnership :
(a)   Meaning, Definition, Formation & the Characteristics of Contract.
(b)   Distinction between –
     (i)   Co-ownership & Partnership
     (ii)   Joint Hindu Family Firm and Partnership
     (iii)   Company and Partnership
(c)   Position of Minor
(d)   Relation interse of Partners and relation of partners with third parties.
(e)   Registration of Partnership Firm.
(f)   Dissolution of Partnership & of firm.

LEADING CASES :
1. Amrit Lal Goverdhan Lallan v. State Bank of Travancore, A.I.R. 1960, S.C. 1432.
2. Patnaik & Col. v. State of Orrisa, A.I.R. 1965, S.C. 1955.
3. State of Gujarat v. Mamon Mohd. A.I.R. 1967, S.C. 1885
4. Gheru Lal Pareekh v. Mahadeo Das Munja, A.I.R. 1959. 1959, S.C. 781
5. Cox v. Hickman, 1860, HLC

BOOK FOR STUDY :

1.	Atiyah, P.S.	:	An Introduction to the Law of Contract.
2.	Pollock & Mullah	:	Indian Contract and Specific Relief Act.
3.	V.G. Ramchandra	:	The Law of Contract in India, Law of Agency.
4.	Desai, S.T.	:	The Law of Partnership in India and Pakistan
5.	Agarwal ,D.P.	:	The Indian Partnership Act, 1932. The Sale of Goods Act, 1930
6.	Kapoor, N.D.	:	Merchantile Law
7.	Avtar Singh	:	Law of Partnership; Principle of the Law of Sale of Goods.
8.	Avtar Singh	:	संविदा विधि
9.	I.C. Saxena, R.L. Novalakha	:	संविदा विधि
10.	Kapoor, S.K.	:	संविदा विधि
11.	R.L. Bhatt	:	वाणिज्य विधि
12.	Kailash Rai	:	संविदा विधि
13.	Dr. Y.S. Sharma	:	संविदा विधि
14.	यमुना शंकर शर्मा	:	भागीदारी विधि