



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

FACULTY OF LAW

SECOND SEMESTER BACHELOR OF ARTS AND LAWS INTEGRATED

(Session 2017-18)

PAPER – V (PAPER CODE – BAL205) : (PAPER NAME – CONTRACTS – II (SPECIAL CONTRACTS))

II – SEMESTER

UNIT-I Indemnity and guarantee:

- 1.1: Indemnity and guarantee (Sec. 134, 127) Indian Contract Act 1872
- 1.2: Contract of indemnity
 - a. Definition
 - b. Rights of indemnity holder
 - c. Liability of indemnifier.
- 1.3: Contract of guarantee
 - a. Definition
 - b. Essential characteristics of contract of guarantee
 - c. Distinction between contract of indemnity and contract of guarantee
 - d. Kinds of guarantee
 - e. Rights and liabilities of surety
 - f. Discharge of surety
 - g. Contract of Bailment and (Sec. 148-181 of Indian Contract Act 1872).

UNIT-II Bailment

- 2.1: Definition
- 2.2: Essential requisites of bailment
- 2.3: Kinds of bailment
- 2.4: Rights and duties of bailer and bailee
- 2.5: Termination of bailment
- 2.6: Pledge
 - a. Definition
 - b. Rights and duties of pawnor and Pawnee
 - c. Pledge by Non Owners.

UNIT-III Contract of Agency (Sec. 182-238 of the Indian Contract Act 1872)

- 3.1: Definition of agent
- 3.2: Creation of agency
- 3.3: Rights and Duties of agent
- 3.4: Delegation of authority
- 3.5: Personal liability of agent
- 3.6: Relations of principal with third parties
- 3.7: Termination of agency.

UNIT-IV Contract of sale of goods (The Indian Sale of Goods Act 1930).

- 4.1: Formation of Contract
- 4.2: Subject matter of Contract of Sale

- 4.3: Conditions and Warrantees
- 4.4: Express and Implied conditions and Warranties
- 4.5: Caveat Emptor
- 4.6: Property, Possession and Risk
- 4.7: Passing of Property
- 4.8: Sale of non-owners
- 4.9: Delivery of goods
- 4.10: Rights and duties of seller and buyer before and after sale.
- 4.11: Rights of unpaid seller.

UNIT-V Contracts of partnership (The Indian Partnership Act,1932).

- 5.1: Definition and nature of Partnership
- 5.2: Formation of Partnership
- 5.3: Test of Partnership
- 5.4: Partnership and other Associations
- 5.5: Registration of Firms
- 5.6: Effect of non-registration
- 5.7: Relation of Partners
- 5.8: Rights and Duties of Partners
- 5.9: Properties of the Firm
- 5.10: Relation of Partners to third parties
- 5.11: Implied authority of a partner
- 5.12: Kinds of Partners
- 5.13: Minor as Partners
- 5.14: Reconstitution of a Firm
- 5.15: Dissolution of firm.

SUGGESTED READINGS :

1. Indian Contract Act, 1872 (Sec. 124-238)
2. The Sale of Goods Act, 1930.
3. The Partnership Act, 1932.
4. Cheshire and Fifoot-The Law of Contract.
5. Chitty- on contracts (Specific Contracts) Vol-II
6. Pollock and Mulla-Indian contracts and Specific Relief Act.
7. Pollock and Mulla- Sale of Goods and Partnership Acts.
8. Avtar Singh-Law of Contracts.
9. Khargumwallah-The Negotiable Instruments Act.
10. S.T. Desai- Partnership
11. Bowstead- Agency
12. Relevant volumes of the Annual Survey Published by Indian law institute.