



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR
FACULTY OF LAW
SECOND SEMESTER BACHELOR OF ARTS AND LAWS INTEGRATED

(Session 2019-20)

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

M.M 80

UNIT-I Contracts of Indemnity and Guarantee: (Sec. 124-147) of Indian Contract Act, 1872

- 1.1: Meaning and Distinction between Indemnity and Guarantee
- 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. Kinds of guarantee
 - d. Rights and liabilities of surety
 - e. Discharge of liability of the surety

UNIT-II Contracts of Bailment and Pledge: (Sec. 148-181) of Indian Contract Act 1872

- 2.1: Contract of Bailment
 - a. Definitions
 - b. Essential requisites of bailment
 - c. Kinds of bailment – Bailment without consideration
 - d. Position of the finder of the goods under law.
 - e. Rights and duties of bailor and bailee
 - f. Termination of bailment
- 2.6: Pledge
 - a. Meaning and Definition
 - b. Rights and duties of Pawnor and Pawnee
 - c. Pledge by Unauthorised Persons

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

- 3.1: Definition of agent
- 3.2: Kinds and Modes of creation of Agency
- 3.3: Rights and Duties of agent
- 3.4: Delegation of authority
- 3.5: Personal liability of agent
- 3.6: Relation between –
 - (i) The Principal and the Agent
 - (ii) The Principal and Third Party

(iii) The Agent and the Third Party

3.7: Termination of agency.

UNIT-IV Contract of Sale of Goods: The Indian Sale of Goods Act 1930

4.1: Sale – Meaning, Definition and Elements.

4.2 Contract of Sale and Agreement to Sell, Hire- Purchase,

Contract for work and labour- meaning and distinction from sales.

4.3: Subject matter of Contract of Sale: Goods – Existing, Future and Contingent.

4.4: Conditions and Warrantees

4.5: Caveat Emptor

4.6: Property, Possession and Risk

4.7: Passing of Property, Transfer of Title

4.8: Sale by Unauthorised person.

4.9: Rights and duties of seller and buyer before and after sale.

4.10: Rights of unpaid seller.

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

5.1: Meaning, Definition, Formation & the Characteristics of Partnership.

5.2: Distinction between –

(i) Co-ownership & Partnership

(ii) Joint Hindu Family Firm and Partnership

(iii) Company and Partnership

5.3: Position of Minor

5.4: Relation, interest, of Partners and relation of partners with third parties.

5.5: Registration of Partnership Firm.

5.6: Dissolution of Partnership/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 : 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. S.T. Desai : Partnership
10. Bowstead : Agency