



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

FACULTY OF LAW

FIRST YEAR BACHELOR OF LAWS

(Effective from Session 2019-20)

PAPER – II (PAPER CODE - 6001): (PAPER NAME – **CONTRACT - I**)

(GENERAL PRINCIPLES OF CONTRACT (SECTION 1-75 & SPECIFIC RELIEF ACT, 1963))

COMPULSORY PAPER)

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 of contract.
(D) Exceptions 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.
6. **Void Agreements:**
(A) Agreements in restraint of marriage:
(B) Freedom of trade and right to initiate legal proceedings.
(C) Agreements involving uncertainty.
(D) Wager and impossibility.
(E) Contingent contract.
7. **Doctrine of Frustration**
8. **Certain relations resembling to those created by Contract (Quasi -Contract).**
9. **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.
(D) Novation

10. Breach of Contract:

- (A) Concept.
- (B) Remedies for breach of contract-
- (C) Damages - Measure of damages and remoteness of damages

11. Specific Relief Act 1963.

- (A) Specific Relief
- (B) Specific Performance of Contract
- (C) Rescission of Contracts
- (D) Cancellation of Instruments
- (E) Declaratory Decree, Needs, objects
- (F) Injunctions

LEADING CASES FOR EXAMINATION:

1. Balfour v. Balfour, [1919] 2 KB 571
2. Lalman Shukla v. Gauri Dutt, (1913) 11, ALL L.J. 489
3. Carlill v. Carbolic Smoke Ball Co. (1843) I.Q.B. 256.
4. Mohri Bibee v. Dharmodas Ghose, 30 I.A. 116.
5. Krell v Henry, [1903] 2 KB 740

CASES FOR READING:

1. Harvey v. Facey (Bumper Hall Pen case), [1893] AC 552
2. Dunlop Pneumatic Tyre Co. Ltd. v. Selfridge & Co. Ltd., [1915] AC 847

SUGGESTED READINGS:

1. Anson's Law of Contract
2. Mulla : The Indian Contract Act (Student Edition)
3. Pollock & Mulla : Indian Contract Act
4. Atiyah P.S. : An Introduction to the law of Contract.
5. Pollock & Mulla : Indian Contract Act and Specific Relief Act.
6. V.G. Ramchandra : The Law of Contract in India.
7. Cheshire and Fifoot : The Law of Contract.
8. Chitty : Contracts (General Principles) Vol. - I
9. Avtar Singh: Law of Contract
10. Aqil Ahmed : Specific Relief Act
11. Avtar Singh : संविदा विधि
12. I.C. Saxena : संविदा विधि
13. S.K. Kapoor: संविदा विधि
14. Dr. R.L. Bhatt: संविदा विधि
15. Dr. Y.S. Sharma: संविदा विधि