

First Year – Second Semester

COURSE-I; CONTRACT-II

Objectives:

In the society wherein all major ventures are getting corporative, a law student should acquaint himself with the knowledge of special contracts apart from equipping himself with general principles of contract. This law is contained in several legislations apart from the Indian Contract Act. This course equips the students to better appreciate the legal services required in a corporate office so that he can enhance his relevance as a lawyer in society.

Course contents:

UNIT-I

Contract of indemnity – Documents/Agreements of Indemnity – Definition, Nature and Scope – Rights of indemnity holder – Commencement of the indemnifier's liability – Contract of Guarantee – Definition, Nature and Scope-Difference between contract of indemnity and Guarantee-Rights of surety-Discharge of Surety-Extent of Surety's liability – Co-surety.

Contract of Bailment-Definition – Kinds – Duties of Bailor and Bailee – Rights of Finder of goods as Bailee – Liability towards true owner – Rights to dispose off the goods.

Contract of pledge – Definition – Comparison with Bailment – Rights and duties of Pawnee.

UNIT-II

Agency – Definition – Creation of Agency – Kinds of Agents – Distinction between Agent and Servant – Rights and Duties of Agent – Relation of Principal with third parties – Delegation – Duties and Rights of Agent – Extent of Agents authority – Personal liability of Agent – Termination of Agency.

UNIT-III

Indian Partnership Act – Definition – Nature, Mode of determining the existence of Partnership – Relation of Partner to one another – Rights and duties of partner – Relation of partners with third parties – Types of partners – Admission of partners – Retirement – Expulsion – Dissolution of Firm – Registration of Firms.

UNIT-IV

Sale of Goods Act – The Contract of sale – Conditions and Warranties – Passing of property – Transfer of title – Performance of the Contract – Rights of Unpaid Seller against goods – Remedies for Breach of Contract.

UNIT-V

Hire Purchase Act 1972 – Rights and Obligation of the Hirer and Owner, Form and contents of Hire Purchase Agreements, Warranties and Conditions – Standard Form of Contracts; Nature, Advantages – Unilateral Character, Principles of Protection against the possibility of exploitation – Judicial Approach to such Contracts – Exemption Clauses – Clash between two standard forms of contracts.

Prescribed Books:

Avtar Singh – Law of Contract

J.P.Verma – The Law of Partnership of India

Saharay H.K – Indian Partnership and Sale of Goods Act

Krishnan Nair – Law of Contract

Hire Purchase Act

Reference Books:

Pollock and Mulla – Indian Contract Act

Anson – Law of Contract

Avtar Singh – Sale of Goods Act

Mulla – Sale of Goods Act

S.D.Singh and S.P.Gupta – Law of Partn