

SYLLABUS PRESCRIBED FOR 3 YEAR LL.B DEGREE COURSE.

First year - First Semester

COURSE I: CONTRACT-I: GENERAL PRINCIPLES OF CONTRACTS

Objectives:

Contracts are at the basis of majority of transactions especially transactions dealing with a property. Whether the transaction is in the ordinary course of life or in the electronic world (e-commerce) the general principles governing contracts remain same. For this reason it is very important to introduce the students to the basic principles governing contracts and lay a powerful foundation for their study of other transactional and related laws in higher semesters.

Course contents:

UNIT-I

History – Formation of Contract – Agreement and Contract – Definitions – Classification – Offer and Acceptance – Communication – Revocation – Essential elements – Invitation to Offer – Tenders.

Consideration – Nudum Pactum – Essential elements – Privity of contract and of consideration – exceptions – unlawful consideration and its effect.

Contractual Ability – Electronic Documents as Web Pages – Digital Certificates as Entry Passes – Time and Place of Contract – Secured Custody of Electronic Records.

UNIT-II

Capacity to Contract – Minor's Agreements and its effects – Persons of unsound mind – persons disqualified by law.

Free Consent – Coercion – Undue influence – Misrepresentation – Fraud – Mistake – Legality of Object – Void Agreements – Agreements against Public Policy Wagering Agreements – Its exceptions – contingent contracts.

UNIT-III

Discharge of Contracts and its various Modes – by performance – Time and place of performance – Performance of reciprocal promises – Appropriation of Payments – Discharge by Agreement- By operation of Law – By frustration (impossibility of performance) – By Breach (Anticipatory and Actual).

UNIT-IV

Remedies for Breach of Contracts – Damages – Remoteness of damages – Ascertainment of damages – injunction- when granted and when refused – Restitution – specific performance when granted – quasi contracts.

UNIT-V

The Specific Relief Act

Nature of Specific Relief – Recovery of Possession of movable and immovable property – Specific performance when granted and not granted – who may obtain and against whom- Discretionary remedy – Power of Court to grant relief – Rectification of instruments – Cancellation – Declaratory decrees – Preventive relief – Temporary injunctions – Perpetual and Mandatory Injunctions. Government as a contracting party; Constitutional provisions – government powers to contract – Procedural requirements – Kinds of Government Contracts, their usual clauses, performance of such contract, settlement of disputes and remedies.

Prescribed Books:

1. Avtar Singh – Law of Contracts
2. Avtar Singh – Specific Relief Act.

Reference Books:

1. Pollock & Mulla- Indian Contract Act
2. P.S.Atiya – Introduction to the Law of Contract
3. G.C.Cheshire- Law of Contract
4. William Anson – Law of Contract
5. Henry Maine – Ancient Law