

## **BA.LL.B (HONS.) – II-SEMESTER**

### **LAW OF CONTRACT-I & SPECIFIC RELIEF ACT**

#### **COURSE CODE:**

**Course Objectives:** This course is designed to acquaint a student with the conceptual and operational parameters of various general principles relating to contract law. It aims to equip the students with the basics of contract law so as to enable them to deal effectively with the various disputes related to contracts.

#### **Course Outcomes:**

1. To understand the evolution of contract law and compare Indian and English Law
2. To understand the general principles and definition of contract
3. To understand and analyse essentials of contracts
4. To analyse how a contract is entered into and discharge of contract
5. To analyse various national and international judicial decisions pertaining to law of contracts

**UNIT-I:** Introduction to Contract, Evolution, Comparison between Indian law and English law of contracts; Indian Contract Act, 1872; Formation of Contract: Definitions of Agreement, Contract, Void Agreement, Voidable Contract & Illegal Agreement, Essentials of a Valid Offer & Acceptance, Revocation of Offer & Acceptance, Standard Form Contracts

**UNIT-II:** Consideration & Capacity: Definition, Essentials & Kinds of Consideration, Privity of Contract & its Exceptions, Exceptions to the Rule that Agreement without Consideration is Void, Nature & Ratification of Minor's Agreement, Return of Benefit secured by a Fraudulent Minor, Minor's liability for Necessaries

**UNIT-III:** Free Consent: Coercion, Undue Influence, Fraud, Misrepresentation, Mistake, Lawful Consideration & Object, Unlawful, Void Agreements & Contingent Contract: Void Agreements, Agreements in Restraint of Marriage, Agreements in Restraint of Trade, Agreements in Restraint of Judicial Proceedings – Agreement by Way of Wages, Unlawful Agreements, Contingent Contracts

**UNIT-IV:** Discharge of Contract: Discharge by Performance, Discharge by Breach of Contract, Discharge by Impossibility of Performance, Discharge by Novation, Quasi Contract, Remedies for Breach of Contract

**UNIT-V:** Specific Relief Act, 1963, Recovery of property, Specific performance of contracts, Injunctions – Temporary and Perpetual, Mandatory, Quantum Merit

#### **References:**

1. Avtar Singh, *Law of Contract and Specific Relief*, Eastern Book Company, 2013 (11th Edn)
2. Pollock & Mulla, *Indian Contract and Specific Relief Act*, Lexis Nexis, 2013(14<sup>th</sup>Edn)
3. Anson, *Law of Contract*, Oxford University Press, 2010 (29th Edn)
4. Cheshire and Fifoot, *Law of Contract*, Lexis Nexis, 2010 (10th Edn)
5. Dutt, *Contract- The Indian Contract Act, 1872*, Eastern Law House, 11<sup>th</sup> Edition, 2013
6. MLJ, *Law of Contract and Specific Relief*, Lexis Nexis, 2009