

LL. B. SEM. – I (Three Year Law) (CBCS – 2015 COURSE): *Winter-2021*
SUBJECT: LAW OF CONTRACT

Day : Saturday
Date : 18-12-2021

Time: 02:00 PM-04:30 PM
Max. Marks: 60

W-12581-2021

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q.1 a) 'Acceptance is the assent given to a proposal and it has the legal effect of converting the proposal into a promise.' Explain the essentials of a valid acceptance.

OR

b) "All contracts are agreements but all agreements are not contracts." Explain in detail.

Q.2 a) i) Explain brief facts and the principle laid down in Chinnaya v. Ramayya.
ii) A and B enter into an agreement. They also agree that in case of breach of contract they will not file a suit. 'A' commits breach of the contract and 'B' files a suit against 'A' to recover the damages. 'A' pleads that 'B' cannot file a suit because B has made an agreement of not filing the same in case of breach'. Can 'B' file the case?

OR

b) i) Explain the brief facts and principle laid down in Hadley v. Baxendale.
ii) A and B make a wagering agreement by depositing money with C on the condition that whoever wins the bet will recover all the deposited money from C. A wins the wager and recovers all the deposited amount from C. Afterwards B files suit against C to recover the money deposited by him. Will he be successful?

Q.3 a) As per Section 10 of the Indian Contract Act, for a valid contract the parties to the contract must be competent to contract. Explain the provisions relating to competency with the help of relevant case laws.

OR

b) 'Mere silence as to facts is no fraud'. Explain the statement along with various exceptions.

Q.4 a) Quasi Contracts are not real contracts as they are created by law and not by parties to the contract. Explain the quasi contracts dealt under the Indian Contract Act, 1872.

OR

b) Write notes on:
i) Standard form contracts
ii) Time as the essence of contract

Q.5 a) Explain with reference to Specific Relief Act, 1963. What is Specific Performance of a contract? In which cases Specific Performance is granted by the Court?

OR

b) Write notes on **ANY TWO** of the following:
i) Declaratory Decree
ii) Rectification of Instruments
iii) Rescission of Contracts

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