

SARDAR PATEL UNIVERSITY
Programme & Subject: BBA LLB
Semester: I
Syllabus with Effect from: June - 2010

Paper Code: IL - 104	Total Credit:
Title Of Paper: Law of Contract	

Unit	Description in Detail	Weightage (%)
	<p>General Principles of Law of contract History and nature of contractual obligations Agreement and contract: definitions, elements and kinds. Proposal and acceptance- their various forms, essential elements, communication and revocation- proposal and invitations for proposal- floating offers- tenders dumping of goods. Consideration - its need, meaning, kinds, essential elements - nudum pactum - Privity of contract and of consideration- its exceptions- adequacy of consideration, present, past and adequate consideration- unlawful consideration and its effects -views of Law Commission of India on consideration- evaluation of the doctrine of consideration. Capacity to contract- meaning- incapacity arising out of status and mental Defect- minor's agreements- definition of 'minor'- accessories supplied to a minor agreements beneficial and detrimental to a minor - affirmation- restitution in cases of minor's agreements- fraud by a minor- agreements made on behalf of a minor minor's agreements and estoppels- evaluation of the law relating to minor's agreements- other illustrations of incapacity to contract. Free consent- Its need and definition- factors vitiating free consent. Coercion- definition- essential elements- duress and coercion- various Illustrations of coercion- doctrine of economic duress- effect of coercion Undue Influence- definition- essential elements- between which parties can it exist? Who is to prove it? Illustrations of undue influence- independent advice pardanashin women- unconscionable bargains – effect of undue influence. Misrepresentation - definition - misrepresentation of law and of fact- their effects and illustration. Fraud - definition - essential elements - suggestion falsi-suppresio veri – when does silence amounts to fraud? Active- concealment of truth - importance of intention. Mistake - definition - kinds- fundamental error - mistake of law and of fact - their effects - when does a mistake vitiate free consent and when does it not vitiate free consent? Legality of objects : Void agreements - lawful and unlawful considerations, and objects – void, voidable, illegal and unlawful agreements and their effects. Unlawful considerations and objects: Forbidden by law Defeating the provision of any law Fraudulent Injurious to person or property Immoral Against public policy</p>	



<p>Void Agreements: Agreements without consideration Agreements in restraint of marriage Agreements in restraint of trade- its exceptions- sale of goodwill, section 11 restrictions, under the partnership Act, trade combinations, exclusive dealing agreements, restraints on employees under agreements of service. Agreements in restraint of legal proceedings- its exceptions. Uncertain agreements Wagering agreement - its exception. Discharge of a contract and its various modes. By performance- conditions of valid tender of performance- How? By whom? Where? When? In what manner? Performance of reciprocal promises- time as essence of contract. By breach - anticipatory breach and present breach. Impossibility of performance- specific grounds of frustration- effect of frustration- frustration and restitution. By period of limitation By agreement- rescission and alteration - their effect- remission and waiver of performance - extension of time- accord and satisfaction. Quasi-contracts or certain relations resembling those created by contract Remedies in contractual relations Damages-kinds-remoteness of damages- ascertainment of damages Injunction- when granted and when refused- Why? Refund and restitution Specific performance- When? Why?</p>	
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Statutory Materials:

- Indian Contract Act, 1872

Basic Text & Reference Books:-

- Business Environment _ K. Aswthappa
- Business Environment _ F. Charunilam
- Indian Economy_ Ishwar C. Dhingara
- Indian Economy _ Ruddan Dutt & KPM Sundaram
- Economic Environment in Business _ Adhikari
- Business, Government & Society_ George Steiner & John Steiner

