

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

Paper Code: IL - 204	Total Credit:
Title Of Paper: Special Contracts	

Unit	Description in Detail	Weightage (%)
I	Indemnity The concept Need for indemnity to facilitate commercial transactions. Methods of creating indemnity obligations. Definition of Indemnity Nature and extent of liability of the indemnifier Commencement of liability of the indemnifier	
II	Guarantee The concept. Definition of guarantee: as distinguished from indemnity. Basic essentials for a valid guarantee contract. Position of minor and validity of guarantee when minor is the principal debtor, creditor or surety. Continuing guarantee. Nature of surety's liability Duration and termination of such liability Illustrative situations of existence of continuing guarantee. Creation and identification of continuing guarantees. Rights of surety: Discharge of surety's liability.	
III	Bailment Identification of bailment contracts in day today life. Manner of creation of such contracts Commercial utility of bailment contracts Definition of bailment Kinds of bailees Duties of Bailor and Bailee towards each other Rights of bailor and bailee Finder of goods as a bailee.	
IV	Pledge Pledge: comparison with bailment Commercial utility of pledge transactions Definition of pledge under the Indian contract Act Rights of the pawner and pawnee.	
V	Agency Identification of different kinds of agency transactions in day to day life in the commercial world Kinds of agents and agencies. Various methods of creation of agency Duties and rights of agent Methods of termination of agency contract	



VI	<p>Sale of Goods</p> <p>Concept of sale as a contract Illustrative instances of sale of goods and the nature of such contracts. Essentials of contract of sale Essential conditions in every contract of sale Implied terms in contract of sale The rule of caveat emptor and the exceptions thereto under the Sale of Goods Act. Changing concept of caveat emptor Effect and meaning of implied warranties in a sale Transfer of title and passing of risk Delivery of goods: various rules regarding delivery of goods. Unpaid seller and his rights Remedies for breach of contract</p>	
VII	<p>Partnership</p> <p>Nature of partnership: definition Mutual relationship between partners Registration of Partnership Dissolution of Partnership</p>	

Statutory Materials:

- Indian Contract Act, 1872
- The Sale of Goods Act, 1930
- Indian Partnership Act, 1932

Basic Text & Reference Books:-

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| ➤ Contract Act | - Mulla |
| ➤ Contract Act | - Avtar Singh |
| ➤ Contract Act | - P.R. Desai |
| ➤ Elements of Mercantile Law | - N.D. Kapoor |
| ➤ Sale of Goods Act | - Katiyar |
| ➤ Sale of Goods Act | - Avtar Singh |
| ➤ Indian Partnership Act | - Avtar Singh |
| ➤ Indian Partnership Act | - Mukharjee & Dutt |
| ➤ Sale of Goods Act & Partnership Act | - Pollock & Mulla |

