

## LL.B. II SEMESTER

### PAPER – I: LAW OF CONTRACT–II

#### Unit-I:

Indemnity and Guarantee - Contract of Indemnity, definition - Rights of Indemnity holder - Liability of the indemnified - Contract of Guarantee - Definition of Guarantee - Essential characteristics of Contract of Guarantee - Distinction between Indemnity and Guarantee - Kinds of Guarantee - Rights and liabilities of Surety - Discharge of surety. Contract of Bailment - Definition of bailment - Essential requisites of bailment - Kinds of bailment - Rights and duties of bailor and bailee - Termination of bailment - Pledge - Definition of pledge - Rights and duties of Pawnor and Pawnee - Pledge by non-owner.

#### Unit-II:

Contract of Agency - Definition of Agent - Creation of Agency - Rights and duties of Agent - Delegation of authority - Personal liability of agent - Relations of principal and agent with third parties - Termination of Agency.

#### Unit-III:

Contract of Sale of Goods - Formation of contract - Subject matter of sale - Conditions and Warranties - Express and implied conditions and warranties - Pricing - Caveat Emptor - Hire Purchase Agreements.

#### Unit-IV:

Property - Possession and Rules relating to passing of property - Sale by non-owner - *Nemo dat quod non habet*- Delivery of goods - Rights and duties of seller and buyer before and after sale - Rights of unpaid seller - Remedies for breach.

#### Unit-V:

Contract of Partnership - Definition and nature of partnership - Formation of partnership- Test of partnership - Partnership and other associations - Registration of firm - Effect of non-registration - Relations of partners - Rights and duties of partners - Property of firm - Relation of partners to third parties - Implied authority of partners - Kinds of partners - Minor as partner - Reconstitution of firm - Dissolution of firm - Limited Liability Partnership(LLP)

#### Suggested Readings:

1. Anson's Law of Contract, Oxford University Press, London.
2. VenkateshaIyyer: The Law of Contracts and Tenders, Gogia&Co. Hyderabad.

3. Cheshire & Fifoot: Law of Contract, Butterworth, London.
4. Mulla: The Indian Contract Act, N.M. Tripathi (P) Ltd. Bombay.
5. G.C.V. Subba Rao: Law of Contracts, S. Gogia & Co., Hyderabad.
6. Krishnan Nair: Law of Contracts, S. Gogia & Co. Hyderabad.
7. Avatar Singh: Law of Contracts, Eastern Book Company, Lucknow.
8. A Ramaiah's Sale of Goods Act, The Law Book Co., Allahabad.
9. Benjamin's Sale of Goods, Sweet & Maxwell, London.
10. P.S. Atiyah: Sale of Goods Act, Universal Book Traders, Delhi.
11. Charles D. Drale: Law of Partnership, Sweet & Maxwell, London.
12. Bowstead On Agency, Sweet and Maxwell, London.

**PAPER – II:  
FAMILY LAW-II  
(Muslim Law and Other Personal Laws)**

**Unit-I :** Origin and development of Muslim Law - Sources of Muslim Law - Schools of Muslim Law - Difference between the Sunni and Shia Schools – Sub-schools of Sunni Law - Operation and application of Muslim Law - Conversion to Islam - Effects of conversion - Law of Marriage, nature of Muslim Marriage - Essential requirements of valid Marriage - Kinds of Marriages - distinction between void, irregular and valid marriage - Dower (Mahr) - Origin, nature and importance of dower, object of dower and classification of dower – **The muslim women ( Protection of rights on marriage ) Act, 2019.**

**Unit-II:** Divorce - Classification of divorce - different modes of Talaq - Legal consequences of divorce - **Validity of Triple Talaq: Judicial Interpretation and Legislative Response in India** - Dissolution of Muslim Marriage Act, 1939 - **Amendment to the Dissolution of muslim marriage Act, 1939.** Maintenance, Principles of maintenance, Persons entitled to maintenance - The Muslim Women (Protection of Rights on Divorce) Act, 1986 - Effect of conversion on maintenance and difference between Shia and Sunni Law.

**Unit-III:** Parentage - Maternity and Paternity - Legitimacy and acknowledgment - Guardianship - Meaning - Kinds of guardianship - Removal of guardian - Difference between Shia and Sunni Law. Gift - Definition of Gift - Requisites of valid gift - Gift formalities - Revocation of gift - Kinds of gift. Wills - Meaning of Will - Requisites of valid Will - Revocation of Will - Distinction between Will and Gift - Difference between Shia and Sunni Law.

**Unit-IV :** Waqf \_ Definition - Essentials of Waqf - Kinds of Waqf – Creation of Waqf - - Revocation of Waqf - Salient features of the Waqf Act, 1995 – Mutawalli - Who can be Mutawalli - Powers and duties of Mutawalli - Removal of Mutawalli and Management of Waqf property. Succession - Application of the property of a deceased Muslim - Legal position of heirs as representatives - Administration - Waqf Tribunals and Jurisdiction.

**Unit-V :**Special Marriage Act, 1954 - -Salient features of Indian Divorce Act - Domicile - Maintenance to dependents/ Spouses - Intestate succession of Christians under the Indian Succession Act,1925.

**Suggested Readings:**

1. Tahir Mahmood: The Muslim Law of India, Law Book Company, Allahabad.
2. Aquil Ahmed: Text Book of Mohammadan Law, Central Law Agency, Allahabad.
3. G.C.V. Subba Rao: Family Law in India, S.Gogia&Company, Hyderabad.
4. Asaf A.A.Fyzee: Outlines of Mohammadan Law, Oxford University Press, Delhi.
5. Mulla: Principles of Mohammedan Law.
6. Paras Divan: Family Law (Hindu, Muslim, Christian, Parsi and Others), Allahabad Law Agency, Allahabad.
7. M.A. Qureshi: Text Book on Muslim Law, Central Law Publications, Allahabad.
8. B.R. Varma, Mohammedan Law, Delhi Law House, New Delhi.

**PAPER-III:  
CONSTITUTIONAL LAW-II**

**Unit-I:**

Legislature under Indian Constitution - Union and State Legislatures - Composition, Powers, Functions and Privileges - Anti-Defection Law - Executive under Indian Constitution - President and Union Council of Ministers  
Governor and State Council of Ministers - Powers and position of President and Governor

**Unit-II:**

Judiciary under Constitution - Supreme Court - Appointment of Judges, Powers and Jurisdiction – High Courts - Appointment and Transfer of Judges - Powers and Jurisdiction - Subordinate Judiciary - Independence of judiciary - Judicial Accountability

**Unit-III:**

Centre State Relations – **Cooperative and Competitive Federalism** - Legislative, Administrative and Financial Relations - Cooperation and Coordination between the Centre and States - Judicial Interpretation of Centre-State Relations – **Local Self Government under 73<sup>rd</sup> and 74<sup>th</sup> Amendments, 1992.**

**Unit-IV:**

Liability of State in Torts and Contracts - Freedom of Interstate Trade, Commerce

and Inter course - Services under the State - All India Services - Public Service Commissions – **Election Commissions.**

### **Unit-V:**

Emergency – Need of Emergency Powers - Different kinds of Emergency - National, State and Financial emergency - Impact of Emergency on Federalism and Fundamental Rights - Amendment of Indian Constitution and Basic Structure Theory

### **Suggested Readings:**

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa& Co,Nagpur
2. V.N.Shukla, *Constitution of India*, Eastern Book Company,Lucknow
3. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
4. H.M.Seervai, *Constitutional Law of India* (in 3 Volumes), N.M.Tripati, Bombay
5. G.C.V.Subba Rao, *Indian Constitutional Law*, S.Gogia& Co.,Hyderabad
6. B.Shiva Rao, *Framing of India's Constitution* (in 5 Volumes), Indian Institute of Public Administration, New Delhi
7. J.N.Pandey, *Constitutional Law of India*, Central Law Agency,Allahabad

## **PAPER – IV: LAW OF CRIMES**

### **Unit-I:**

Concept of crime - Definition and meaning of crime - Distinction between crime and tort - Stages of crime - Intention, Preparation, Attempt and Commission of Crime - Elements of Crime - *Actus Reus and Mensrea*-Codification of Law of Crimes in India - Application of the Indian Penal Code - Territorial and Extra Territorial application - General Explanations - Punishments.

### **Unit-II:**

General exceptions - Abetment - Criminal Conspiracy - Offences against the State - Offences against public peace and Tranquility – *Increasing tendency of offences under S.153-A and S.153-B*

### **Unit-III:**

Offences affecting human body (offences affecting human life) Culpable Homicide and Murder – Hurt and Grievous Hurt - Wrongful restraint and Wrongful confinement - Criminal force and Assault- Kidnapping and Abduction - Sexual offences **2018 Amendment** - Unnatural offences.

### **Unit-IV:**

Offences affecting the public health, safety, convenience, decency and morals - Offences against Property - Theft - Extortion - Robbery & Dacoity - Cheating - Mischief - Criminal Trespass – Criminal misappropriation and Criminal breach of trust.

### **Unit-V:**

Offences by or relating to public servants - False Evidence and Offences against Public Justice - Offences relating to documents - Offences relating to Marriage - Cruelty by husband and relatives of husband - Defamation.

### **Suggested Readings:**

1. Ratanlal and DhirajLal: *Indian Penal Code*, Wadhwa&Co.
2. Achutan Pillai: *Criminal Law*, Butterworthco.
3. Gour K.D.: *Criminal Law - Cases and Materials*, ButterworthCo.
4. Kenny's: *Outlines of Criminal Law*, Cambridge UniversityPress.
5. K.N. Chandrasekharan Pillai, *General Principles of Criminal Law*, Indian Law Institute, NewDelhi.
6. K.N. Chandrasekharan Pillai, *Essays on Indian Penal Code*, Indian Law Institute, NewDelhi.

## **PAPER-V: LAW OF EVIDENCE**

### **Unit-I:**

The Indian Evidence Act, 1872 — Salient features of the Act – Meaning and kinds of Evidence – the impact of the Information Technology Act, 2000 on the Indian Evidence Act - Interpretation clause — May Presume, Shall presume and Conclusive proof - Fact, Fact in issue and Relevant facts — Distinction between Relevancy and Admissibility - Doctrine of Res gestae— Motive, preparation and conduct — Conspiracy — When Facts not otherwise relevant become relevant — Right and custom — Facts showing the state of mind etc.

### **Unit-II:**

Admissions & Confessions: General Principles concerning Admissions — Differences between "Admission" and "Confession" — Confessions obtained by inducement, threat or promise – Confessions made to police officer - Statement made in the custody of a police officer leading to the discovery of incriminating material — Admissibility of Confessions made by one accused person against co-accused. Dying Declarations and their evidentiary value — Other Statements by persons who cannot be called as Witnesses — Admissibility of evidence of witnesses in previous judicial proceedings in subsequent judicial proceedings.

### **Unit-III:**

Relevancy of Judgments — Opinion of witnesses — Expert's opinion — Opinion on Relationship especially proof of marriage — Facts which need not be proved — Oral and Documentary Evidence – General Principles concerning oral evidence and documentary evidence — Primary and Secondary evidence — Modes of proof of execution of documents — Presumptions as to documents — General Principles regarding Exclusion of Oral by Documentary Evidence – Relevance of social media in the law of evidence

**Unit-IV:**

Rules relating to Burden of Proof - Presumption as to Dowry Death — Estoppels — Kinds of estoppels — Res Judicata, Waiver and Presumption.

**Unit-V:**

Competency to testify — Privileged communications - Testimony of Accomplice — Examination in Chief, Cross examination and Re-examination — Leading questions — Lawful questions in cross examination — Compulsion to answer questions put to witness — Hostile witness — Impeaching the credit of witness — Refreshing memory — Questions of corroboration — Improper admission and rejection of evidence.

**Suggested Readings:**

1. Batuk Lal: The Law of Evidence, Central Law Agency, Allahabad.
2. M. Monir: Principles and Digest of the Law of Evidence, Universal Book Agency, Allahabad.
3. Vepa P. Saradhi: Law of Evidence Eastern Book Co., Lucknow.
4. Avatar Singh: Principles of the Law of Evidence, Central Law Publications.
5. V. Krishnama Chary: The Law of Evidence, S. Gogia & Company Hyderabad.
6. V. Nageswara Rao: The Evidence Act, Lexis Nexis.

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