

## **Paper - 106**

### **Law of Contract**

Full Marks : ( Written 80+Internal 20) =100. Credit-5

#### **The Indian Contract Act, 1872**

1. General-Definitions

2. Elements of Contract:

a. Agreement

i. Proposal and acceptance

ii. Offer and Invitation to an Offer

iii. Communication and Revocation of Proposal and Acceptance

b. Consideration

i. Definition

ii. Requirement of Consideration in a Contract

iii. Exceptions of Consideration under Section 25 of the Indian Contract Act, 1872

iv. Inadequacy of Consideration

v. Privity Contract and of Consideration

vi. Views of the Law Commission of India

c. Capacity to Contract

i. Minor

ii. Persons of Unsound mind

iii. Persons disqualified by Law

d. Free Consent

i. Factors vitiating Free Consent

ii. Coercion

iii. Fraud

iv. Undue influence

v. Misrepresentation

v. Mistake

e. Legality of object

3. Contingent Contract and Wagering Agreement

- 4. Discharge of Contract
  - a. By performance
  - b. By impossibility of performance
  - c. By agreement
  - d. By breach
- 5. Consequences of Breach of Contract
- 6. Damages for Breach
  - a. Remoteness of Damages
  - b. Measure of Damages
  - c. Section 73 of the Indian Contract Act, 1872

**Suggested Readings:**

- 1) Kapoor, S. K.: Contract I & II
- 2) Singh, Avtar: Contract Act I & II
- 3) Mitra, J. K: Commercial Law
- 4) Kapoor, N. D.: Mercantile Law
- 5) Bangia, R. K.: Contract Act I
- 6) Bare Act: The Indian Contract Act, 1872
- 7) Srivastava, S. S.: Law of Contract I & II

**NOTE-** 1. Questions are to be set taking from each unit of the syllabus of a paper

- 2. Number of Questions to be set- 12 questions x 2 marks (for answering 10 questions) and 8 Questions x12 marks (for answering 5 questions).
- 3. Amendment of Law, if any, shall be deemed to revise the relevant syllabus automatically.