

L	T	P	C
4	1	-	5

**Course Code: LAW108**

**Semester: I**

## **CONTRACTS - I (GENERAL PRINCIPLES WITH SPECIFIC RELIEF ACT)**

### **Course Objectives:**

1. This course is designed to acquaint a student with the conceptual and operational parameters of various general principles relating to contract law.
2. This course aims to equip the students with the basics of contract law so as to enable them to deal effectively with the various disputes related to contracts.

### **UNIT – I**

**15 Periods**

Nature of contract and Classification of Contracts - The Indian Contract Act, 1872 - Introduction – Definitional clauses - Offer and Acceptance - Legal rules as to offer – Legal rules as to acceptance – Communication of offer, acceptance and revocation - Consideration – Legal rules as to consideration – Stranger to contract – Contract without consideration – Exceptions – Essential elements of a valid contract.

### **UNIT – II**

**15 Periods**

Capacity of Parties: Minor – Agreements with a minor; persons of unsound mind; disqualified persons. Free Consent: Coercion – Undue influence – Misrepresentation – Fraud – Mistake - mistake of law; mistake of fact – Effect of vitiating elements.

### **UNIT – III**

**15 Periods**

Legality of object: When consideration or object is unlawful? - Unlawful and illegal agreements – Effect of illegality – Agreements opposed to public policy – Agreements in restraint of trade – exceptions – Void agreements - uncertain agreements - Wagering agreements - Contingent contracts – Rules relating to contingent contracts – Doctrine of Restitution.

### **UNIT – IV**

**15 Periods**

Performance of contract: Offer to perform – Devolution of joint liabilities and rights – Time and place of performance – Reciprocal promises – order of performance of reciprocal promises – Time as the essence of the contract - assignment of contracts - appropriation of payments Rule in Clayton's case. Discharge of contract: by performance; by agreement or consent; by impossibility of performance; by lapse of time; by operation of law; by breach of contract. Quasi contract – Kinds of Quasi contract - Remedies for breach of contract: Rescission of contract; suit for damages – rules relating to damages; suit upon quantum meruit; suit for specific performance; suit for injunction.

### **UNIT – V**

**15 Periods**

Specific Relief Act: Recovering possession of property – general principles guiding specific performance – Contracts specifically enforced – Contracts which cannot be specifically enforced – Parties in relation to specific performance – Specific performance of part - Rectification of instruments - Rescission - Cancellation of instruments – Declaratory decrees - Preventive relief – Injunction.

## **STATUTORY MATERIAL**

1. The Indian Contract Act, 1872.
2. Specific Relief Act, 1963.

## **TEXT BOOKS**

1. M. Krishnan Nair. *The Law of Contracts*. Orient Longman Limited.
2. Prof. G.C.V. Subba Rao. *Law of Contracts I & II*. Narendra Gogia & Co. Ltd., Hyderabad.
3. Avtar Singh. *Contract and Specific Relief*. Eastern Book Company.

## REFERENCES

1. Pollock & Mulla. *The Indian Contract and Specific Relief Act*. Lexis Nexis.
2. Anson's Law of Contract.

## LEARNING OUTCOMES

Unit I	The learner in general will get to know the prelude to contract law and the basics of the law, offer, acceptance and consideration.
Unit II	The learner will be able to analyze the capacity of the parties to enter into contracts and the vitiating factors that determine the validity of a contract.
Unit III	The learner will be able to learn the legalities in valid contracts and the kinds of illegal contracts and contingency in a contract and their validity.
Unit IV	The learner will have an understanding on the provisions relating to performance of contracts and discharging the integers of a contract. The learner will also understand the remedies available under the Act for breach of contract..
Unit V	The learner will be able to understand the practical remedies available for any disputed contracts under the Specific Relief Act, 1963.