

Contract - I
(Sem V),
TyBIS.

Paper / Subject Code: 75702 / Contract - I

SEM V

BUS

[Time: 3 Hours]

[Marks:100]

Please check whether you have got the right question paper.

- N.B: 1. All the questions are compulsory
2. Figures to the right indicate full marks

Q.1 Answer the following (in not more than two sentences) (20)

- a) What is meant by void agreement?
- b) State any two essentials of valid tender of contract?
- c) What is the effect of an uncertain agreement?
- d) Give any two examples of invitation to Offer?
- e) What is the doctrine of privity to contract? ~
- f) Who are competent to enter into contract?
- g) Who can sue for specific performance under Specific Relief Act, 1963?
- h) Which instruments can be partially cancelled?
- i) What are the limitations of Court on right of rescission?
- j) Under Sec. 6 of the Specific Relief Act, a suit cannot be instituted against whom?

Q.2 Write Short Notes on (any four) (20)

- a) Contingent Contracts
- b) Agreement by way of wager
- c) Liquidated damages and penalty
- d) Declaratory Decree
- e) Defenses to an action for specific performance
- f) Devolution of Joint Liabilities

Q.3 Answer the following by giving reasons (Any two) (12)

- a) 'A' sells a field to 'B'. There is a right of passage over the field of which 'A' has direct personal knowledge but he conceals this fact from 'B' when asked.
 - i). What is rescission of contract?
 - ii). Can B get the contract rescinded?
- b) 'A' purchases a steamer ticket. On the back of the ticket, a condition has been printed that the company will not be liable for loss or injury to the passenger or his luggage. On the face of the ticket, there was no indication that some conditions have been printed on the back of the ticket. Due to negligence of the crewmember "A" lost his luggage.
 - i). What is 'reasonable notice of terms' under Standard Form Agreements?
 - ii). Can the company be held liable for the loss?
- c) A's son was missing. He announce in a newspaper to pay Rs. 5,00,000/- to anyone who would bring back to him lost son. 'B' without the knowledge of the above reward brought the lost son to 'A'. Thereafter 'B' came to know about the reward and claimed it from 'A'.
 - i). What is acceptance to a proposal?
 - ii). Will 'B' succeed in the above circumstances?

Q.4 Answer the following (any four)

(48)

- a) What is breach of contract? Discuss the principles based on which the Court awards damages for the breach of the contract.
- b) Explain briefly the various modes of discharge of contract.
- c) Certain relations between parties resembling those of a contract, discuss in the light of provisions of Indian Contract Act.
- d) What are the essential elements of a valid contract?
- e) Discuss about the relief for recovery of possession of immovable property?
- f) What is perpetual injunction? When can Court refuse to grant an injunction?
