

Syllabus of B.A., LL.B. (Hons.) Major-Minor 2022-23 Batch
COURSE-2.1 Special Contract

Objectives:

In a society where all major ventures are getting corporatized, law students should acquaint themselves with the knowledge of special contracts and general principles of contract. This law is contained in several legislations apart from the Indian Contract Act. This course equips the students to better appreciate the legal services required in a corporate office so that they can enhance their relevance as lawyers in society.

UNIT – I

Contract of Indemnity – Definition, Nature and Scope - Rights of indemnity holder – Commencement of the indemnifier's liability.

Contract of Guarantee – Definition, Nature and Scope – Kinds of Guarantee - Extent of Surety's liability – Rights of surety – Discharge of Surety – Co-surety – Difference between contract of indemnity and Guarantee.

UNIT – II

Contract of Bailment – Definition– Essentials – Kinds of Bailment- Rights and Duties of Bailer and Bailee – Right of Lien – Termination of Bailment - Finder of goods as Bailee– Right to dispose off the goods – Liability towards true owner.

Contract of pledge – Definition– Essentials– Rights and duties of Pawnor and Pawnee – Comparison with Bailment.

UNIT – III

Agency – Definition – Creation of Agency – Kinds of Agents – Distinction between Agent and Servant – Rights and Duties of Agent – Relation of Principal with third parties – Delegation – Extent of Agents authority – Personal liability of Agent – sub-agent and substituted agent -Termination of Agency.

UNIT – IV

Indian Partnership Act – Definition, Nature, Mode of determining the existence of Partnership – Relation of Partners to one another – Types of partners– Rights and duties of partners – Relation of partners with third parties– Admission of partners – Retirement – Expulsion – Dissolution of the Partnership Firm – Consequences of dissolution – Registration of Firm.

UNIT – V

Sale of Goods Act – The Contract of sale– Definition- Distinction between Sale and Agreement to Sell– Conditions and Warranties – Passing of property – Transfer of title – Performance of the Contract – Rights of Unpaid Seller against goods – Remedies for Breach of Contract.

Prescribed Books:

1. Avtar Singh, *Principles of Mercantile Law*, (Eastern Book Company)
2. J. Beatson, A. Burrows & J. Cartwright, *Anson's Law of Contract* (Oxford University Press)

Reference Books:

1. Pollock and Mulla, *The Indian Contract Act, 1872*, (LexisNexis Butterworths Wadhwa, Nagpur).
2. Krishnan Nair, *The Law of Contracts*, (Orient Longman)
3. Mulla, *The Sale of Goods Act and The Indian Partnership Act*, (LexisNexis Butterworth, India).
4. Avtar Singh, *Law of Sale of Goods*, (Eastern Book Company)
5. V. P. Verma, *The Law of Partnership in India*, (Puliani and Puliani, Bangalore)