

April 2011

Contract - I

Con. 1830-11.

MT-6233

(3 Hours)

[Total Marks : 100

[N.B. : Figures to the right indicate full marks.]

1. Answer the following :- 20
 - (a) What is coercion as defined under Indian Contract Act ?
 - (b) When can a proposal be revoked ?
 - (c) What is standard form contract ?
 - (d) What is the effect of an agreement in restraint of trade ?
 - (e) What is the effect of mistake of law under Indian Contract Act ?
 - (f) When is a person deemed to be in a position to dominate the will of another ?
 - (g) What is the effect of self-induced frustration upon a contract ?
 - (h) Under what circumstances can a Court order for Cancellation of Instrument ?
 - (i) Who can obtain specific performance ?
 - (j) What is Mandatory Injunction ?
2. Write short notes (any four) :- 20
 - (a) Invitation to offer
 - (b) Contingent contracts
 - (c) Novation
 - (d) Quantum meruit
 - (e) Defence respecting suits for relief based on contract
 - (f) Alternative relief of rescission in a suit for specific performance.
3. Answer the following giving reasons (any two) :- 12
 - (a) A sells a horse to B by auction. A knows the fact that the horse is not of sound mind but he says nothing to B about it. B files a suit to revoke the contract on the basis of fraud.
 - (i) When does silence amount to fraud ?
 - (ii) Will B succeed ?
 - (b) B accepts a Vakalatnama from A to represent him in a certain suit. Later on, A promises that if the suit is decided in his favour then he will give him Rs. 1,00,000 extra more than legal charges, as a reward. The suit is decided in favour of A, but he now refuses to pay extra amount of Rs. 1,00,000
 - (i) What is consideration ?
 - (ii) Is A bound to pay the amount of reward to B ?
 - (c) X files a suit against Y for the declaration that he is entitled to receive Rs. 10,000 from Y, but does not pray for the recovery of the said amount.
 - (i) What is declaratory decree ?
 - (ii) Will X succeed to obtain such declaration ?
4. Answer the following any four :- 48
 - (a) "Acceptance to proposal is what is a lighted match to a train of gun-powder". Discuss and state essentials of a valid acceptance.
 - (b) Define void agreement and explain briefly the agreements which have been expressly declared void under Indian Contract Act.
 - (c) What is breach of contract ? What are the principles on which damages are assessed for breach of contract ?
 - (d) What is privity of contract ? Discuss the exceptions to the doctrine of privity of contract.
 - (e) What is rescission of a contract ? When the rescission can be adjudged or refused by the Court ?
 - (f) Discuss the law relating to recovery of possession of immovable property under Specific Relief Act.

[TURN OVER