

2014

LAW

(Contract - I)

Course No. 3:2

Full Marks : 100

Time : 3 hours

*The figures in the margin indicate full marks
for the questions*

*Answer questions No. 1 and any three from Group - A and
any two from Group - B .*

GROUP - A .

1. Write short notes on the followings: 4x5
- a) Quantum meruit
 - b) Executed contract
 - c) Wagering agreement
 - d) Perpetual injunction
2. a) Discuss in detail the provisions of law relating to minor's agreement. Is a minor bound on his agreement for necessities? 12
- b) A, a boy of 13 years of age, obtains a loan from B. Now decide with reasons whether A can be asked to repay the money. 4

(Please turn over)

3. Distinguish between: 8+8
- a) Coercion and undue influence
 - b) Misrepresentation and fraud.
4. a) '*Consideration need not be adequate but it must have some value in the eye of Law*'. Explain 12
- b) Mr. R agrees to sell his house to Mr. S for Rs. 5000/-. The real value of which is Rs. 5,00,000/-. Mr. R says that his consent is not free. Discuss the legal position. 4
5. a) Discuss with examples in what cases the object of an agreement is said to be unlawful under the Contract Act 12
- b) A, while his wife B was alive, promised to marry C in the event of B's death. Subsequently B died but A refused to marry C. Now C sues A for damages for breach of promise. Decide with reasons whether C will succeed in her action against A. 4
6. a) What do you mean by performance of a contract? Discuss who can demand performance and by whom contract must be performed. 12
- b) P, Q and R jointly promise to pay S Rs. 3000/-. P and Q are not traceable. Can S compel R to pay him in full? Answer with reasons. 4

GROUP - B

7. What the term '*specific performance of contract*' implies? Elaborately discuss about the contracts which cannot be specifically enforced. 16

(Please turn over)

8. a) Discuss the contracts that cannot be specifically enforced. 12
- b) A, contracts to sell his horse on a particular day to B. But, the horse dies before that particular day. Decide with reasons whether the contract is enforceable. 4
9. a) Enumerate the circumstances when injunctions cannot be granted. 12
- b) A construct a projection on his house extending it to the courtyard of B's house which is in front of A's house. Now decide what remedy can B take 4
10. Give the facts and discuss the principles of law laid down in-
Central Inland Water Transport Corporation Ltd.
Vs
Brojo Nath,
AIR 1986, SC 1571 16
