

QP Code : 26949

[3 Hours]

[Total Marks : 100]

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

1. Answer the following (not more than two sentences) 20
  - (a) What is an 'Agreement' as defined under Indian Contract Act ?
  - (b) What is 'Coercion' as defined under Indian Contract Act ?
  - (c) What is a 'Voidable agreement' ?
  - (d) Under what circumstances does 'silence' amounts to fraud ?
  - (e) What are the various ways of revocation of proposal ?
  - (f) What is the obligation of a person who has received any advantages under a contract, which becomes void ?
  - (g) What are the obligations of a person enjoying the benefit of non-gratuitions act ?
  - (h) What is discretionary power of the Court under Section 20 of Specific Relief Act ?
  - (i) What is 'mandatory injunction' ?
  - (j) What is the limitation period for filing suit under Section 6 of Specific Relief Act ?
  
2. Write short notes on (any four) 20
  - (a) Government Contracts
  - (b) Past Consideration
  - (c) Agreement by way of wager
  - (d) Clayton's Rules
  - (e) Declaratory decree
  - (f) Personal bars to relief under Specific Relief Act
  
3. Answer the following giving reasons (any two) 12
  - (a) A agreed to purchase a horse from B and further agreed to pay 1,000 rupees over and above the agreed price to B if the horse proves to be lucky to him. Thereafter A refused to buy the horse and B filed suit against A for breach of contract.
    - (i) Will B succeed in the above case ?
    - (ii) What is the effect of an agreement, the meaning of which is not certain ?
  - (b) A was directed by the court to furnish the surety of Rs. 15,000/- under Criminal Procedure Code. A gave the said amount to B and persuaded to him to become surety. After expiry of the period of surety the amount was reimbursed to B. A asked B to return the said amount, however B refused to do so
    - (i) What is a lawful consideration ?
    - (ii) Will A succeed in the above case ?

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- (c) A sells a field to B. There is 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- (ii) Can B get the contract rescinded ?

4. Answer the following (any four)

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- (a) What is consideration to a contract ? What is the effect on the validity of a contract, where the consideration is absent, inadequate and partly unlawful ?
  - (b) What is 'Contingent' contract ? Discuss the law relating to enforcement of contingent contracts.
  - (c) Discuss the doctrine of frustration of contract with the help of decided cases.
  - (d) What is breach of contract ? Discuss the principles on which the Court awards damages for the breach of contract.
  - (e) Discuss the law relating to cancellation of instruments under Specific Relief Act?
  - (f) What are the different types of injunctions under Specific Relief Act ? When can perpetual injunction be granted ?
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