

IL 105: Law of Contract

Unit – I: General Principles of Contract:

- a) Freedom of Contract
- b) Basic Concepts – Proposal/Offer, Acceptance, Promise, Agreement, Contract –
Definitions, Nature, Characteristics, Kinds of offer – General, Specific, Cross,
Standing, Offer and invitation to offer
- c) Communication and Revocation – Postal, Telephonic and Telex, E-mail
- d) Types of contract
- e) Standard and printed forms of contract – their nature and unilateral character
- f) Capacity to contract – minor, person of unsound mind, person disqualified from contracting

Unit – II: Consent – (S.15 – 19)

- a) Free Consent – meaning and importance
- b) Elements vitiating free consent: Coercion, Undue Influence, Fraud, Misrepresentation
- c) Effects of coercion, undue influence, fraud and misrepresentation on contract
- d) Mistake

Unit – III: Consideration

- a) Consideration – S.2 (d), S.23, S.24, S.25
- b) Void Agreements: Agreements in restraint of marriage (s.26)
 - 1. Agreements in restraint of trade with exceptions (s.27)
 - 2. Agreements in restraint of legal proceedings with exceptions (s.28)
 - 3. Agreements void for uncertainty (s.29)
 - 4. Agreements by way of wager (s.30)
- c) Contingent Contracts – S.31-36
- d) Performance of Contracts – S.37-61:
 - 1. Obligation of the parties to perform contracts
 - 2. By whom contracts must be performed
 - 3. Time, place and manner of performance
 - 4. Performance of reciprocal promises
 - 5. Performance of alternative promises
 - 6. Rules to appropriation of payment

Unit – IV: Discharge and remedies – S.62-75

- a) Modes of discharge of contract
- b) Quasi Contracts
- c) Breach of Contract
- d) Anticipatory breach of contract
- e) Remedies for breach of contract

Suggested Readings:

1. Mulla D: Indian Contract Act.
2. Avtar Singh: Law of Contract
3. Pollock & Mulla: Indian contract and Specific Relief Act
4. Anson: Law of Contract
5. Avtar Singh: Mercantile Law.