

Roll No.

67801

LL. M. 3rd Semester (Re-appear)

Examination – June, 2016

LAW OF CONTRACTS IN INDIA & ENGLAND

Paper : (G-II) M-09

Time : Three Hours] [Maximum Marks : 80

Before answering the question, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard, will be entertained after examination.

Note : Section A is compulsory. Attempt any four questions from Section B.

SECTION – A

1. (i) What do you mean by "Impossibility" ?

(ii) What do you mean by 'Novation' ?

(iii) What do you mean by performance of reciprocal promises ?

(iv) Define "Appropriation of payment".

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- (v) Define 'Undue influence'.
- (vi) Define 'Fraud'.
- (vii) Define 'Misrepresentation'.
- (viii) Define 'Incertain Agreements'.

SECTION – B

2. Discuss the Law regarding communication of offer and acceptance in India and England. Also cite case Law in this regard.
3. Whether 'Time is the essential conditions for performance of a contract. Discuss. What is the effects of breach of this condition ?
4. An agreement without consideration is void. But inadequacy of consideration is immaterial. Comment. Also cite suitable illustrations.
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5. Agreements in restraint of trade are void. Whether these are exceptions to this rule. Cite latest case law.
6. Do you agree with the view that cases of frustration of contracts are simply cases of impossibility of performance of the contracts. Comment. Also quote suitable illustration and case law in support of your answer.
7. Discuss the "Theory of assessment of damages" in cases of breach of contract.

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8. Write notes on the following :

- (a) Executed and Executory contracts
- (b) Doctrine of "Quantum meruit ."

9. Write brief notes on the following :

- (a) Liabilities for Necessaries under section 68 of the Indian Contract Act.
 - (b) How the damages are measures under law of contract ?
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