21 (3) LWCT 3·4

2018

CONTRACT–I

Paper : 3·4

Full Marks : 80

Time : Three hours

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

1. Fill in the blanks :   1×10=10

    (i)   According to section _____ the person
            making the proposal is called the
            Promisor and the person accepting the
            proposal is called the *Promisee*. [2(b)/
            2(c)]

    (ii) An acceptance with a variation is
            _____ acceptance. (valid/no)

    (iii) In the leading case of _____ minor's
            agreement was declared as void.
            (Mohori Bibee v. Dharmodas Ghose/
            Lakshmi Dass v. Roop Laal)

(iv) In case of contract of partnership, a minor _____ be admitted into the benefits of a partnership with the consent of all the partners. (can/cannot)

(v) 'Coercion' is defined under section _____ of the Indian Contract Act. (15/16)

(vi) Section 29 of the Act deals with _____. (ambiguous/wagering)

(vii) _____ is an exception to the rule that a stranger to contract cannot sue. (Trust/Acceptance)

(viii) According to section _____ of the Act, if the parties to a contract agree to substitute a new contract for it, the original contract need not be performed. (61/62)

(ix) Preventive relief is granted at the discretion of the court by _____. (injunction/specific performance)

(x) The Specific Relief Act, 1963 came into force on _____. (13th December, 1963/1st March, 1964)

2. Answer the following : 2×5=10

(a) Characteristics of proposal or offer

(b) Coercion

(c) Unlawful consideration

(d) Suit for damages

(e) Specific performance

3. Who is a *promisee* ? Discuss the importance of offer in formation of a contract.
4+8-12

Or

"*All contracts are agreement, but all agreements are not contract.*" Discuss. 12

4. Define free consent. What are the factors which vitiate free consent ? Explain briefly. 4+8=12

Or

Write a note on Fraud. Distinguish between fraud and misrepresentation. 4+8=12

5. Write a brief note on *wagering agreement.* Distinguish between wagering agreement and contingent contract. 6+6=12

What are different kinds of agreement declared void under the Indian Contract Act. 1872 ? 12

6. What do you mean by termination of contract ? Discuss various modes of termination of a contract. 2+10=12

Or

Write an exhaustive note on : 6+6=12

(a) Quasi-contract

(b) Doctrine of frustration

7. Explain the object, nature and scope of the Specific Relief Act, 1963. 12

Or

Write notes on the following : 4×3=12

(a) Anticipatory breach

(b) Government contract

(c) Multinational agreement