

67813

LL.M. 3rd Semester (CBCS Scheme)
Examination, December-2018
LAW OF CONTRACT IN INDIA AND ENGLAND
Paper-17LLM23GB1
(w.e.f. 2017-18)

Time allowed : 3 hours] [Maximum marks : 80

Students are required to give their answer only in English language. Otherwise answer book will not be evaluated and counted as zero marks.

Note : Attempt four questions from Section-A. Each question in this Section carries 14 marks (4×14). Section-B is compulsory. Each part of the question in Section-B carries 3 marks (8×3).

Section-A

1. Evaluate Position of Modern Law of Contract in the light of its history in India and also make a comparative analysis with English Law.
2. A mere statement of intention made in course of conversation or even negotiated agreements does not necessarily give rise to legal obligation. Explain in the light of recent judicial trends.
3. "All illegal agreements are void but all void agreements are not illegal." Explain with the help of decided cases.
4. Define consideration. Analyze the doctrine of consideration under English law and Indian law. Whether an informal gratuitous promise amount to contract ?

67813-P-2-Q-9(18)

[R.T.O.]

5. **Discharge of Contract by anticipatory breach fastens defaulting party to compensate. Discuss and state how to determine and measure damages in such cases ?**
6. **"There is more a similarity than diversity between coercion and undue influence." Do you agree with this statement ? Substantiate your answer with illustrations.**
7. **"The liability of the surety is coextensive with that of the principal debtor, unless it is otherwise provided by the Contract." Explain this statement with the help of judicial trends in India.**
8. **What is 'Frustration of Contract' ? Also explain how courts measure damages in the case of breach of contract.**

Section-B

9. **Explain the following :**

- (a) **Floating Offers**
- (b) **Contingent contract**
- (c) **Unjust enrichment**
- (d) **Agreement in restraint of trade**
- (e) **Quantum merit**
- (f) **Reciprocal promise**
- (g) **Substituted agent**
- (h) **Indemnity holder**