

### Course Plan

Course Title: Contract – II: Special Contracts	Course Code:(21LLLC107)
Programme:3- YEAR LL.B.	Semester:II
Credits:4	L-T-P: 3-1-0
ISA Marks:50	ESA Marks:50
Course Teacher: Ms. Dr. Anita M J, Ms. Anusha	Date of Preparation: 24th Feb 2022
Course Plan Reviewer:Mr. Harshpratap Singh	Date of Review:25th Feb 2022

#### Brief Description and Importance of subject:

- Specific Contracts range from contracts of Indemnity and Guarantee to Bailment and Pledge to Agency and law about sale of goods.
- Specific Contracts play a significant role in the day to day commercial transactions, so it is pertinent to know the law governing the same.

#### Course Objective

- To give conceptual understanding of law governing special contracts.
- The focus of the course would be to ingrain in the students a critical understanding of the context and importance of special contracts from an economic, social and legal perspective.

#### Course Outcomes (COs)

At the end of this course, students will be able to do the following:

1. Locate context and rationale about law governing specific contracts.
2. Identify and apply the principles and doctrines relating to special contracts in real life situations.

3. Differentiate between different special contracts.
4. Analyse rights and duties which the parties acquire under various special contracts.
5. Interpret and construct the complex terms and conditions in a contract.
6. Create persuasive legal and factual arguments relating to contract disputes, and form critical judgments about their likely resolution.

### Mapping of Course Outcomes (COs) with Program Outcomes

Course Outcomes (COs)	Relevant Program Outcomes (POs)
1. Locate context and rationale about law governing specific contracts.	6
2. Identify and apply the principles and doctrines relating to special contracts in real life situations.	1, 4
3. Differentiate between different special contracts.	3
7. Analyse rights and duties parties acquire under various special contracts.	8
8. Interpret and construct the complex terms and conditions in a contract.	5
9. Create persuasive legal and factual arguments relating to contract disputes, and form critical judgments about their likely resolution.	4

### Course Content

Unit Contents	Number of Sessions
Unit I: Contract of Indemnity, Document/agreements of Indemnity: Definition, Nature and Scope - Rights of indemnity holder, Commencement of the indemnifier's liability, Contract of Guarantee: Definition, Nature and Scope, Difference between contract of indemnity and Guarantee, Rights of surety, Discharge of Surety, Extent of Surety's liability, Co-surety.	14
Unit II: Contract of Bailment: Definition, Kinds, Rights and Duties of Bailor and Bailee, Rights of Finder of goods as Bailee, Contract of pledge: Definition, Comparison with Bailment, Rights and duties of Pawnor and Pawnee, Pledge by limited owner	12
Unit III: Agency: Definition, Creation of Agency, Kinds of Agents, Distinction between Agent and Servant, Rights and Duties of Agent, Relation of Principal with third parties, Delegation, Duties and Rights of Agent, Extent of Agents authority, Personal liability of Agent, Termination of Agency.	14

Unit IV: Indian Partnership Act: Definition, Nature, Mode of determining the existence of Partnership, Relation of Partner to one another, Rights and duties of partner, Relation of partners with third parties, Types of partners, Admission, admission of minor for benefits of firm, Retirement and Expulsion of partners Dissolution of Firm, Registration of Firms: Procedural Requirements of Registration and drafting of Partnership Deed, Salient features of The Limited Liability Partnership Act, 2008	16
Unit V: Sale of Goods Act, The Contract of sale, Agreement to sell, Conditions and Warranties, Passing of property, Transfer of title, Performance of the Contract, Rights of Unpaid Seller, Remedies for Breach of Contract.	14
Total	70

#### Prescribed Text Books

1. Singh, Avtar, Law of Contract and Specific Relief, 11th Edition, Lucknow: Eastern Book Company, 2013.
2. Verma J.P (ed.,) Singh and Gupta, The Law of Partnership in India, New Delhi: Orient Law House, 1999.
3. Pollock and Mulla, Indian Contract and Specific Relief Act, 14th Edition, New Delhi: Lexis Nexis, 2013(2). Anson, William, Law of Contract, 29th Edition, Oxford University Press, 2010.
4. Ashish Kumar Sriastava, Law of Partnership and Limited Liability Partnership, Thomson Reuters, 2019

#### References

1. Saharay H. K, Indian Partnership and Sale of Goods Act, Universal, 2000.
2. Avtar Singh, Principles of the Law of Sale of Goods and Hire Purchase, Lucknow; Eastern Book House Ltd, 1998.
3. Sir Frederick Pollock and Mulla, Pollock and Mulla on the Sale of Goods Act, 9th Edition, Lexis Nexis: 2014.
4. Nair, Krishnan, Law of Contract, New Delhi: Orient Law House, 1999.

### I Unit Wise Plan

Unit Number: I	Planned Sessions:12
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### Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
Differentiate between indemnity and guarantee	3	II
List rights and duties of parties to contract of indemnity, guarantee	4	I
Able to identify, apply and solve problems relating to contract of indemnity and guarantee	2,5	III

### Topic Wise Plan

S.No.	Topic	Number of Sessions	Pedagogy
1	Contract of Indemnity: : Definition, Nature and Scope	3	Lecture
2	Rights of indemnity holder, Commencement of the indemnifier's liability	4	Role play of cases Small group discussions
3	Contract of Guarantee: Definition, Nature and Scope,	2	Lecture

4	<ul style="list-style-type: none"> <li>• Difference between contract of indemnity and Guarantee</li> <li>• Rights of surety, Discharge of Surety, Extent of Surety's liability, Co-surety.</li> </ul>	3	Student presentations Moot problem Lecture
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Prescribed Reading(s) / Learning Resource(s)

1. Singh, Avtar, Law of Contract and Specific Relief, 11th Edition, Lucknow: Eastern Book Company, 2013.

Additional Reading(s) / Learning Resource(s)

Pollock and Mulla, Indian Contract and Specific Relief Act, 14th Edition, New Delhi: Lexis Nexis, 2013(2). Anson, William, Law of Contract, 29th Edition, Oxford University Press, 2010.

Unit Wise Plan

Unit Number: II	Planned Sessions:10
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II Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
Point-out intricacies involved the law of bailment and pledge.	2	IV
List out rights and duties of parties to the contract of bailment and pledge.	4	I

Define contract of bailment and pledge.	5	I
Differentiate between pledge, hypothecation and bailment.	3	II

### Topic Wise Plan

S.No.	Topic	Number of Sessions	Pedagogy
1	Contract of Bailment: Definition, Kinds	2	Lecture
2	Rights and Duties of Bailor and Bailee, Rights of Finder of goods as Bailee,	4	Lecture and discussion Small group discussions
3	Contract of pledge: Definition, Comparison with Bailment,	2	Lecture
4	Rights and duties of Pawnor and Pawnee, Pledge by limited owner	4	Lecture and moots

### Prescribed Reading(s) / Learning Resource(s)

1. Singh, Avtar, Law of Contract and Specific Relief, 11th Edition, Lucknow: Eastern Book Company, 2013.



Additional Reading(s) / Learning Resource(s)

Pollock and Mulla, Indian Contract and Specific Relief Act, 14th Edition, New Delhi: Lexis Nexis, 2013(2). Anson, William, Law of Contract, 29th Edition, Oxford University Press, 2010.

Unit Wise Plan

Unit Number: III	Planned Sessions:12
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Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
Explain the implication of the law of agency.	1	V
List rights and duties of agent and principal.	4	I
Apply the law of agency in a given new set of facts and solve problems.	2	III
Interpret and criticise the law relating to agency.	1	V

Topic Wise Plan

S.No.	Topic	Number of Sessions	Pedagogy
1	Agency: Definition, Creation of Agency,	2	Lecture

2	<ul style="list-style-type: none"> <li>• Kinds of Agents,</li> <li>• Distinction between Agent and Servant,</li> <li>• Rights and Duties of Agent</li> </ul>	4	Socratic method of teaching <ul style="list-style-type: none"> <li>• Small group discussions</li> </ul>
3	Relation of Principal with third parties, Delegation	4	Lecture
4	<ul style="list-style-type: none"> <li>• Duties and Rights of Agent,</li> <li>• Extent of Agents authority,</li> <li>• Personal liability of Agent,</li> <li>• Termination of Agency</li> </ul>	4	Lecture Case analysis Student presentations

Prescribed Reading(s) / Learning Resource(s)

1. Singh, Avtar, Law of Contract and Specific Relief, 11th Edition, Lucknow: Eastern Book Company, 2013.

Additional Reading(s) / Learning Resource(s)

Pollock and Mulla, Indian Contract and Specific Relief Act, 14th Edition, New Delhi: Lexis Nexis, 2013(2). Anson, William, Law of Contract, 29th Edition, Oxford University Press, 2010.

Unit Wise Plan

Unit Number: IV	Planned Sessions:14
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### Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
Pendown the rationality of the statute	1	III
Explain rights and duties of a partner.	4	V
Reiterate the important provisions of Partnership Act and LLP	2	I
Describe the formation and regulation of Partnership firms.	4	I

### Topic Wise Plan

S.No.	Topic	Number of Sessions	Pedagogy
1	Indian Partnership Act: 1932 Definition, Nature <ul style="list-style-type: none"> <li>Mode of determining the existence of Partnership,</li> </ul>	4	Lecture

2	<ul style="list-style-type: none"> <li>• Relation of Partner to one another,</li> <li>• Rights and duties of partner,</li> <li>• Relation of partners with third parties</li> </ul>	4	Role play of cases Small group discussions
3	<ul style="list-style-type: none"> <li>• Types of partners</li> <li>• admission of minor for benefits of firm</li> <li>• Admission, Retirement and Expulsion of partners</li> <li>• Dissolution of Firm</li> </ul>	4	Lecture Guest lecture
4	<ul style="list-style-type: none"> <li>• Registration of Firms: Procedural Requirements of Registration</li> <li>• drafting of Partnership Deed.</li> <li>• Salient features of The Limited Liability Partnership Act, 2008</li> </ul>	4	Lecture Case analysis Student presentations

Prescribed Reading(s) / Learning Resource(s)

Verma J.P (ed.,) Singh and Gupta, The Law of Partnership in India, New Delhi: Orient Law House, 1999.

Ashish Kumar Sriastava, Law of Partnership and Limited Liability Partnership, Thomson Reuters, 2019

Additional Reading(s) / Learning Resource(s)

Saharay H. K, Indian Partnership and Sale of Goods Act, Universal, 2000.

Unit Wise Plan

Unit Number: V	Planned Sessions:12
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Unit Learning Outcomes

Unit Learning Outcomes	COs	BL
Outline the important provisions the Act	1	I
Describe rights and duties of seller and buyer	4	I
Comprehend a partnership deed	5	II
Explain procedural requirements for registration of a partnership firm.	2	II

Topic Wise Plan

S.No.	Topic	Number of Sessions	Pedagogy
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1	Conceptual analysis of property-movable and immovable property <ul style="list-style-type: none"> <li>• Sale of Goods Act, The Contract of sale</li> <li>• Differentiate between Agreement to sell and contract of sale</li> </ul>	2	Lecture
2	<ul style="list-style-type: none"> <li>• Conditions and Warranties,</li> <li>• Passing of property, Transfer of title,</li> </ul>	4	Role play of cases Small group discussions
3	<ul style="list-style-type: none"> <li>• Performance of the Contract,</li> <li>• Rights of Unpaid Seller,</li> </ul>	4	Lecture, role play
4	<ul style="list-style-type: none"> <li>• Remedies for Breach of Contract.</li> </ul>	4	Lecture Case analysis Student presentations

Prescribed Reading(s) / Learning Resource(s)

Avtar Singh, Principles of the Law of Sale of Goods and Hire Purchase, Lucknow; Eastern Book House Ltd, 1998.

Industry/Professional Skills, Human Values, Service Learning  
Evaluation Scheme for ISA

Assessment	Weightage in Marks
Mid-Term Exam	25
Teacher Chosen Assessment	25
Total	50

#### Teacher Chosen Assessment Method

Component	Details	Weightage
Written assignment	recent cases	10
Oral presentations	Presentation of the written assignment	10

#### Weightage of Course Outcomes

Course Outcomes (COs)	Weightage in Assessment
1. Locate context and rationale about law governing specific contracts.	5
2. Identify and apply the principles and doctrines relating to special contracts in real life situations.	30

3. Differentiate between different special contracts.	15
4. Analyse rights and duties parties acquire under various special contracts.	20
5. Interpret and construct the complex terms and conditions in a contract.	10
6. Create persuasive legal and factual arguments relating to contract disputes, and form critical judgments about their likely resolution.	20
<b>Total</b>	<b>100</b>