

Name:	 UPES UNIVERSITY WITH A PURPOSE
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2019

Course: Law of contract-I Program: BA.LL.B (H), B.COM LL.B (H), BBA.LL.B (H), B.Sc. LLB Course Code: CLCC1002	Semester: Ist Time 03 hrs. Max. Marks: 100
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Instructions: Attempt all the questions

Q1-	Write short notes on following	Marks	CO
1)	Void contract	2	CO1
2)	Quantum Meruit	2	CO1
3)	Wagering contract	2	CO2
4)	Liquidated and Unliquidated damages	2	CO2
5)	Consensus id idem	2	C02

SECTION B

	Answer the following questions		
Q2-	Acceptance is to an offer what a lighted match is to a train of gun powder”. In light of above statement explain: a. Essentials of valid acceptance b. Communication of acceptance and communication of revocation of acceptance.	10	C03
Q3-	Explain with illustration: a. Doctrine of <i>quantum meruit</i> ‘A’ pays ‘B’ Rs.5,000 in consideration of B promising to marry A’s daughter C. C is dead at the time of the promise. Whether B is liable to refund the amount to A?	10	C03

SECTION-C

	Answer the following questions-		
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Q4-	Discuss the principles, which have been reframe in the Indian Contract Law for determining the amount of damages to be awarded in the event of breach of contract. Mention relevant case laws in this regard.	10	C03
Q5-	Critically analyze the concept of ‘frustration of contract’? What are the pre-requisites for excusing parties from performing the contract on the ground of frustration?	10	C04
SECTION-D			
	Answer the following questions-		
Q6	The plaintiff was owner of a mill at Bombay. Its crankshaft broke down and mill stopped working as the mill had only one shaft .The shaft had to be sent to Jamnagar for repairs .The plaintiff booked the shaft for transportation through a common carrier. The common carrier negligently delayed the transportation of the shaft. The plaintiff files a suit for damages for breach of carriage contract ,claiming loss of profit owing to the Mill remaining closed for a longer period due to delay in transportation .Decide with relevant provisions and case laws.	20	C03
Q7	A contracted with B to hire to B a music hall on certain day for the purpose of entertainment. Before the day of performance arrived ,the music hall was destroyed by fire due to which A was unable to hire the hall to B .B sued A for compensation for breach of contract. Will B succeed? Will your answer be different if it is found that fire was due to A’s fault.	15	C04
Q5	A applies to a banker for a loan at a time when there is stringency in the money market. The banker declines to make a loan except at an unusually high rate of interest .A accepts the loan on these terms. Later on A refuses to repay the loan alleging that the said loan transaction was not binding upon him as it was induced by ‘Undue Influence’. Decide with relevant provisions and case laws	15	C04