

LL.M. DEGREE I SEMESTER EXAMINATION NOVEMBER 2011**SLS 2104/SLS 2102 FOUNDATIONS OF CONTRACTUAL LIABILITY**

Time : 3 Hours

Maximum Marks : 50

(5 × 10 = 50)

- I. A. Discuss the theories of contract law and explain in detail the statement.
"An experiment is the outcome of free and consenting minds".
- OR**
- B. Trace the historical development of the doctrine "Action of Assumpsit". Discuss case law under Contract Act.
- II. A. An intention to effect legal relations is essential to the formation of a contract. Discuss with Judicial reasoning.
- OR**
- B. The application of the equitable doctrine of part performance is strictly limited. Do you agree? Discuss.
- III. A. Distinguish the terms of a contract from representations or assertions and discuss the terms which could be inserted by the parties and those which will be implied by the law.
- OR**
- B. In the light of decided cases distinguish voidable misrepresentation from fraudulent misrepresentation and examine the effect of these representations under Contract law.
- IV. A. Judicial decisions explain the rules applicable to the capacity to contract and its limitations. Examine these rules and suggest any change which you feel necessary.
- OR**
- B. Explain the term 'Vitiating contracts' and with reference to case law discuss the effect of such contracts.
- V. A. Government contracts are a class by itself. Do you agree? Distinguish it from other types of contracts. Case law to be referred to.
- OR**
- B. Explain the term 'Remoteness of Damage' under Contract law and explain the rules contained in the case of *HARDLY V. BAXENDALE* [1949] A.C.196.
