



0101/0423

I Semester 3 Years LL.B./IV Semester 5 Years B.A. LL.B./B.B.A. LL.B.
(5 Years Course) Examination, December 2014
CONTRACT – I – GENERAL PRINCIPLES OF CONTRACTS

Duration : 3 Hours

Max. Marks : 100

Instructions :

1. Answer Q. No. 9 and any five of the remaining questions.
2. Q. No. 9 carries 20 marks and the remaining questions carry 16 marks each.
3. Answers should be written either in English or in Kannada completely.

సూచనలు :

1. ప్రశ్న 9 మత్తు ఉండ యావుదాదరూ ఇదక్కే ఉత్తరిసిరి.
2. ప్రశ్న 9 క్రింది 20 అంకగళు ఉండవుగాగా తలా 16 అంకాలిచే.
3. ఉత్తరమన్న సంపూర్ణమాగి ఇంగ్లీష్ అథవా కన్నడదల్లి బరేయబేచు.

Q. No. 1. What are the requisites of a valid contract ? Explain its classification.

Marks : 16

ఉచిత కరారిన అవ్యాక్షతెగావువు ? ఉచిత కరారుగా వగ్గేకరణమన్న వివరిసి.

Q. No. 2. Define misrepresentation, fraud and mistake. Distinguish between them.

Marks : 16

తప్పినిరూపణ, వంచన మత్తు తప్పగ్రహికయన్న వ్యాఖ్యానిసిరి. ఇవుగా నడువిన వ్యత్యాసగళన్న నమూదిసిరి.

Q. No. 3. What are the essentials of valid consideration ? Explain the exceptions to the rule that 'an agreement without consideration is void'.

Marks : 16

ఏదిబద్ధ ప్రతిఫలద అవ్యాక అంతగావువు ? 'ప్రతిఫలిల్లద ఒప్పందగాలు శాస్త్ర' ఎంబ నియమక్కిరువ అపవాదగాలన్న వివరిసిరి.

Q. No. 4. Explain the discharge of contract by impossibility of performance. state the exceptions.

Marks : 16

నేరవేరికెయ అసాధ్యతెయింద కరారినింద బిడుగెంచువున్న వివరిసిరి. ఈ నియమక్కిరువ అపవాదగాలన్న తీళిసి.



Q. No. 5. 'Damages are compensatory and not penal'. Explain the principles that govern the assessment of damages in an action for breach of contract.

Marks : 16

'ದುರ್ವ್ಯ ಪರಿಹಾರವು ನಷ್ಟ ಪರಿಹಾರವೇ ಹೊರತು ದಂಡವಲ್ಲ'. ಕರಾರು ಉಲ್ಲಂಘನೆಗಾಗಿ ಹೊಡಿದ ದಾವೆಯಲ್ಲಿ ನಷ್ಟ ಪರಿಹಾರದ ಮೌಲ್ಯಮಾಪನಕ್ಕೆ ಅನ್ವಯಿಸುವ ತತ್ವಗಳನ್ನು ವಿವರಿಸಿರಿ.

Q. No. 6. Define quasi-contract. Explain Lord Mansfield's dictum that "Law as well as justice should try to prevent unjust enrichment".

Marks : 16

ಅವ್ಯಕ್ತ ಕರಾರನ್ನು ವ್ಯಾಖ್ಯಾನಿಸಿ. "ಅನ್ಯಾಯದ ಗಳಿಕೆಯನ್ನು ತಡೆಯಲು ಕಾನೂನು ಮತ್ತು ನ್ಯಾಯ ಪ್ರಯೋಜಿಸಬೇಕು" ಎಂಬ ಲಾಡ್‌ ಮೇನ್‌ಫ್ರೆಲ್ಡ್‌ರ ತತ್ವವನ್ನು ವಿವರಿಸಿರಿ.

Q. No. 7. Explain the circumstances by which a court can direct specific performance of part of a contract. State the grounds on which specific performance of contract may be denied.

Marks : 16

ಕರಾರಿನ ಒಂದು ಭಾಗವನ್ನು ಯಾವ ಸಂದರ್ಭಗಳಲ್ಲಿ ನಿರ್ದಿಷ್ಟ ನೆರವೇರಿಕೆಗೆ ಅನುಷ್ಠಾನಗೊಳಿಸಲು ನ್ಯಾಯಾಲಯವು ಆದೇಶ ನೀಡಬಹುದೆಂಬುದನ್ನು ವಿವರಿಸಿರಿ. ಯಾವ ಸಂದರ್ಭಗಳಲ್ಲಿ ನಿರ್ದಿಷ್ಟ ನೆರವೇರಿಕೆಯ ಪರಿಹಾರವನ್ನು ತಿರಸ್ಕರಿಸಬಹುದು ಎಂಬುದನ್ನು ತಿಳಿಸಿ.

Q. No. 8. Write short note on **any two** of the following :

Marks : 2x8=16

ಈ ಕೆಳಗಿನ ಎರಡರಲ್ಲಿ ಟಿಪ್ಪಣಿ ಬರೆಯಿರಿ:

a) Novation

ನವೀಕರಣ

b) E-Contract

ಇ-ಕರಾರು

c) Temporary Injunction

ತಾತ್ಕಾಲಿಕ ತಡೆಯಾಡ್



Q. No. 9. Solve any two of the following problems.

Marks : $2 \times 10 = 20$

ಕ್ಷ ಕೆಳಗಿನ ಯಾವುದಾದರೂ ಎರಡು ಸಮಸ್ಯೆಗಳನ್ನು ತೀರ್ಮಾನಿಸಿ.

a) A, the husband, upon divorce, promised his wife B Rs. 60,000/- a year as a permanent alimony. In reliance upon this promise the wife forbear to apply to the court for maintenance. The husband (A) failed to make the payments and the wife (B) sues him on the promise. Decide.

A ಎಂಬ ಗಂಡನು ತನ್ನ ಹೆಡತಿ Bಗೆ ವಿವಾಹ ವಿಚ್ಛೇದನಾ ನಯರೆ ವಾರ್ಷಿಕವಾಗಿ ರೂ. 60,000/- ಶಾಶ್ವತ ಜೀವನಾಯ ನೀಡುವುದಾಗಿ ವಾಗ್ನಾನ ಮಾಡುತ್ತಾನೆ. ಈ ವಾಗ್ನಾನದ ಆಧಾರದ ಮೇಲೆ Bಯು ನ್ಯಾಯಾಲಯಕ್ಕೆ ಜೀವನಾಯಕಾಗಿ ಅಜೆಸೆಲ್ಲಿಸುವುದಿಲ್ಲ. ಆದರೆ Aನು ಜೀವನಾಯ ಕೊಡಲು ನಿರಾಕರಿಸುತ್ತಾನೆ. Bಈ Aನ ವಿರುದ್ಧ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಜೀವನಾಯಕಾಗಿ ದಾವೆ ಹೂಡುತ್ತಾಳೆ. ನಿರ್ಧರಿಸಿ.

b) A, B and C enter into a contract under which A promises both B and C that if B digs in A's garden, A will give Rs. 250 to C. Can 'C' compel A to pay the money on B's digging in A's garden according to the terms of the contract ? Give reasons.

A, B ಮತ್ತು C ಯರು ಒಂದು ಕರಾರು ಮಾಡಿಕೊಂಡು Bಯು ತನ್ನ ತೋಟದಲ್ಲಿ ಅಗೆದರೆ ತಾನು ರೂ. 250/- ನ್ನು Cಗೆ ಕೊಡುವುದಾಗಿ Aಯು B ಮತ್ತು Cಗೆ ವಾಗ್ನಾನ ಮಾಡುತ್ತಾನೆ. Bಯು Aನ ತೋಟವನ್ನು ಅಗೆದರೆ Cಯು 'A' ನಿಂದ ಹಣವನ್ನು ಪಡೆಯಬಲ್ಲನೇ ? ಕಾರಣಗಳನ್ನು ನೀಡಿರಿ.

c) B being a medical Advisor threatens to publish patient C's written communications that are with him, showing that C has led an immoral life. What course of action would you advise to C ?

'B' ಎಂಬ ವೈದ್ಯಕೀಯ ಸಲಹಾರನು ತನ್ನ ರೋಗಿಯಾದ 'S'ಯಳು ಅನ್ಯೇತಿಕ ವ್ಯವಹಾರದಲ್ಲಿ ತೋಡಿಕೊಂಡಿರುವ ಪ್ರತಿ ವ್ಯವಹಾರಗಳನ್ನು ಬಹಿರಂಗಗೊಳಿಸುವುದಾಗಿ 'S'ಳಿಗೆ ಬೆದರಿಕೆ ಹಾಕುತ್ತಾನೆ. 'S'ಯಳಿಗೆ ಯಾವ ಪರಿಹಾರವನ್ನು ಸೂಚಿಸುತ್ತೀರಿ ?