



Course Syllabus
Gyanmanjari Institute of LAW
Semester-I (LL.B)

Subject: Special Contract – LAWLL11502

Type of course: Major (Core)

Prerequisite:

Students pursuing the course on Special Contracts should possess a basic understanding of the general principles of Contract Law under the Indian Contract Act, 1872. They are expected to be familiar with the essential elements of a valid contract, concepts such as offer, acceptance, consideration, free consent, breach of contract, and remedies. Knowledge relating to indemnity, guarantee, bailment, pledge, and agency, along with a basic understanding of commercial transactions and legal terminology, will help students comprehend the subject effectively.

Rationale:

The course on Special Contracts is designed to provide students with comprehensive knowledge of specific contractual relationships governed under the Indian Contract Act, 1872 and related commercial laws. The subject focuses on important areas such as indemnity, guarantee, bailment, pledge, and agency, which are widely applied in commercial and business transactions. The course aims to develop students' understanding of the rights, duties, liabilities, and remedies arising from such special contractual relationships. It also enhances analytical thinking, legal reasoning, and problem-solving skills necessary for interpreting and resolving contractual disputes. By connecting legal theory with practical commercial applications, the course prepares students for professional careers in litigation, corporate practice, judicial services, legal consultancy, and other areas of law and commerce.

Teaching and Examination Scheme:

Teaching Scheme			Credits	Examination Marks			Total Marks
CI	T	P	C	Theory Marks		CA	
				ESE	MSE	ALA	
05	01	00	06	100	30	20	150



Legends: CI- Classroom Instructions; T- Tutorial; P- Practical; C- Credit; SEE- Semester End Evaluation; MSE- Mid Semester Examination; CA- Continuous Assessment; ALA- Active Learning Activities.

Course Content:

Sr. No.	Course Content	Hrs.	% Weightage
1	Indemnity and Guarantee • Concept of Indemnity and Essentials of Indemnity. • Concept of Indemnity and Insurance. • Rights of Indemnity Holder. • Concept of Guarantee and Essentials for a valid guarantee contract. • Types of Guarantee. • Parties to the Contract of Guarantee and Rights and Liabilities of the Parties. • Discharge of Surety. • Difference between Indemnity and Guarantee.	15	20
2	Bailment, Pledge and Agency • Bailment: Concept, Parties to the Contract and Essentials. • Rights and Duties of Bailor and Bailee. • Pledge: Concept, Parties to the Contract and Essentials. • Rights and Duties of Pawnee and Pawnee. • Lien: Concept and Difference between Pledge and Lien. • Difference Between Bailment and Pledge and Lien. • Agency: Definition and Essentials. • Parties to the contract: Kinds of agents, Competency of Principal and Agent, Rights and Liabilities of the Parties and Relation of Principal with the parties and third parties. • Modes of Creation of Agency and Termination of Agency.	15	20
3	Partnership Act • Partnership: Nature, Scope, Definitions, Kinds of Partnership. • Kinds of Partners, Relations of partners to Third Partners and Incoming and Outgoing Partners. • Rights and Duties of Partners, Liabilities of Partner. • Registration of Firm, Effect of non-registration. • Dissolution of Firm and its effect.	15	20



	Liability of Partners under the Limited Liability Partnership Act.		
4	The Sale of Goods Act, 1930 - Goods: Definition, Nature and Classification. - Sale and Agreement to Sell: Definitions, Essentials and Difference. - Ascertainment of Price. - Stipulations: Conditions and Warranties. - Transfer of Property and Passing of Risk. - Unpaid Seller. - Remedies for Breach of Contract.	15	20
5	Specific Relief Act, 1963 - Meaning, Nature and General Principles. - Recovery of possession of immovable property. - Recovery of possession of moveable property. - Specific performance of contract. - Rectification of contract. - Rescission of contract.	15	20

Continuous Assessment:

Sr. No.	Active Learning Activities	Marks
1	Trial Advocacy: Faculty will be providing some instruction regarding parties of special contract and facts of a hypothetical case. Students in group of four – two from petitioner side and two from respondent side and present their arguments based on the facts of the case. Students have to submit a written debate format to the subject faculty and also upload it on the GMIU web portal.	10
2	Research Application in Law: Students are required to prepare a research proposal in Microsoft Word format on a topic within the domain of Special Contract assigned or approved by the faculty. The proposal should identify a clear legal issue, define the research objectives, and outline the proposed methodology. It must incorporate relevant statutory provisions, leading case laws, and proper legal citations using a standard citation style. Students have to upload it on GMIU Web Portal.	10
Total		20



List of Suggested Tutorials:

Sr. No	Suggested Tutorials	Credits Hrs.
1	Comparative Chart on Indemnity and Guarantee – Students will prepare a comparison chart showing the differences between Indemnity and Guarantee. It will include legal provisions, essential features, and practical examples.	1
2	Problem-based discussion on Discharge of Surety – Students will discuss various modes of discharge of surety and the legal consequences thereof.	1
3	Comparative Chart on Bailment, Pledge and Lien – Students will prepare a comparison chart showing the differences between Bailment, Pledge and Lien. Include legal provisions, essential features, and practical examples.	1
4	Interactive Session and Flowchart Preparation on Agency – Students will prepare a flowchart showing the process of creation, performance, breach, and termination of an Agency contract. Mention the relevant legal provisions wherever applicable.	2
5	Case Law Presentation of students in class – Students will select one landmark case related to any one - Indemnity, Guarantee, Bailment, Pledge, or Agency and prepare a 5–7 minute oral presentation explaining the facts, legal issues, judgment, and its significance.	2
6	Discussion on the Partnership Act and Rights of Partners - Students will study nature, scope and kinds of partnership and partners under the Partnership Act. They will also study rights, duties and liabilities of partners including relations with third parties.	1
7	Video lecture and discussion on Sale of Goods Act and Specific Relief Act - Students will examine about sale and agreement to sell, conditions and warranties, transfer of property and unpaid seller. Students will also study remedies under the Specific Relief Act including specific performance, rectification and rescission of contracts.	2
8	Group Seminar – Students work in groups to conduct a 10-minute seminar on any one topic under Special Contract Laws. It will end with an interactive session as questions will be asked from the audience at the end of the presentation.	2
9	Quiz Preparation – Faculty will prepare multiple-choice questions (MCQs) with correct answers and explanations covering all topics under Special Contract Laws and will conduct the quiz in the classroom.	1
10	Classroom Role Play on Disputes involving Statutes covered under this Syllabus – Students work in groups to perform a role play demonstrating a dispute involving any of the Statute covered under this Syllabus. They will explain the legal rights and liabilities of each party after the performance.	2
Total		15



Suggested Specification table with Marks (Theory): 100

Distribution of Theory Marks (Revised Bloom's Taxonomy)						
Level	Remembrance (R)	Understanding (U)	Application (A)	Analyze (N)	Evaluate (E)	Create (C)
Weightage	30%	30%	-	20%	20%	-

Note: This specification table shall be treated as a general guideline for students and teachers. The actual distribution of marks in the question paper may vary slightly from above table.

Course Outcome:

After learning the course, the students should be able to:	
CO1	Recall and describe the legal principles governing contracts of indemnity and guarantee, including their essentials, rights, liabilities and remedies.
CO2	Acquire knowledge of the concepts, essentials and legal relationships involved in bailment, pledge and agency. They will be able to analyze the rights, duties and liabilities of parties and apply these principles to commercial transactions.
CO3	Examine the formation, functioning and dissolution of partnerships along with rights and liabilities of partners. They will also gain knowledge regarding registration of firms and the legal framework of Limited Liability Partnerships.
CO4	Interpret contracts of sale, transfer of ownership, conditions and warranties and rights of unpaid sellers. They will be able to apply legal provisions relating to sale of goods in business and commercial disputes.
CO5	Discuss the equitable remedies available under the Specific Relief Act including specific performance, rectification and rescission of contracts. They will be able to evaluate circumstances in which courts grant specific relief and protect contractual rights.

Instructional Method:

The course delivery method will depend upon the requirement of content and the needs of students. The teacher, in addition to conventional teaching methods by black board, may also use any tools such as demonstration, role play, Quiz, brainstorming, MOOCs etc.

From the content 10% topics are suggested for flipped mode instruction. Students will use supplementary resources such as online videos, NPTEL/SWAYAM videos, e-courses. The internal evaluation will be done on the basis of Active Learning Assignment.

Practical/Viva examination will be conducted at the end of semester for evaluation of performance of students.



Reference Books:

- [1] Srivastava, S. S. (2024). *Law of contract I & II* (Latest ed., Vols. 1–2). Central Law Publications.
- [2] C. Jamnadas. (2024). *મિલકતીય કરારોની કાયદો - II (Special contract)* (Vol. 2. Latest ed.). C. Jamnadas & Co.
- [3] Brambhatt, R., & Patel, M. (2024). *Law of contract and specific relief (English + Gujarati)* (Latest ed.). Vinay Law House.
- [4] Mulla. (2024). *The Sale of Goods Act and the Indian Partnership Act* (12th ed.). LexisNexis.
- [5] Pollock & Mulla. (2024). *Indian Contract and Specific Relief Acts* (17th ed., Vols. 1–2). LexisNexis.
- [6] Pithawala, H. D. (2024). *Special contract Gujarati ed.* (Latest ed.). C. Jamnadas & Co.
- [7] Singh. A. (2024). *Avtar Singh's law of contract and specific relief* (14th ed.). Eastern Book Company.

