

SEMESTER I

JURISPRUDENCE

OBJECTIVE OF THE COURSE: Jurisprudence is a window that gives into the making, mechanics and meaning of law. It also throws light on all intricate factors that go on to make up what is known as law. This module intends to take the students to journey into law and legal concepts.

Marks – 100
Credit-04

MODULE-I Law and Jurisprudence- A study in relationship

MODULE-II Natural Law: History, Characteristics, Classical Natural Law, Natural Law during the medieval period, Decline and Revival of Natural Law

Finnis:

Bentham

Austin

H.L.A. Hart

Module III:

Pure Theory of Law

Hans Kelsen

Module IV: Sociological School

Rosco Pound

Module V: Historical School

MODULE- VI LEGAL CONCEPTS

1. RIGHT AND DUTIES
2. LAW AND MORALS
3. PERSONALITY
4. PROPERTY
5. OWNERSHIP
6. POSSESSION
7. JUSTICE

******* Students are expected to read current case laws. Only the current enactments and enactments as amended upto date will be taught.**

RECOMMENDED READING:

****** Only current editions are to be read.**

1. W. FRIENMANN, LEGAL THEORY, UNIVERSAL LAW PUBLISHING CO. PVT. Ltd.
2. N. R. MADHAVA MENON (Es), HOLLAND ON JURISPRUDENCE, UNIVERSAL LAW PUBLISHING CO. PVT.Ltd.
3. H.L.A. HART, THE CONCEPT OF LAW, OXFORD UNIVERSITYPRESS
4. M.D.A. FREEMAN(Ed), LLOYED'D INTRODUCTION TO JURIDPRUDENCE, SWEET &MAXWELL
5. R.M.V. DIAS, JURISPRUDENCE,BUTTERWORTHS
6. C.K. ALLEN, JURISPRUDENCE, OXFORD UNIVERSITYPRESS
7. G.W. PATON, TEXT BOOK OF JURISPRUDENCE, OXFORD UNIVERSITYPRESS.

CONTRACT – I

OBJECTIVE OF THE COURSE: This is a law that helps establish a legal relationship and regulate the same between two individuals in the public domain. This law is a very important tool of commerce in globalised era. This module will help and prepare the students for understanding the world of contract.

Marks – 100 Credit-04

1. GENERAL PRINCIPLES OF CONTRACT:

MODULE – I: History and nature of Contractual-Agreement and Contract: definitions-elements and kinds-legality of object

MODULE – II: Proposals and Acceptance : Dorns, elements-Communications-Revocations- Invitations for proposals, float offers–Tenders

MODULE – III: Considerations: Need-Meaning-Kids-Elements-Legality-NudumPactum - Privity of Consideration-Exceptions-Adequacy of consideration-Legality of Consideration

MODULE–IV: Capacity to Contract: Meaning –Effect of Status, Mental defect, Minor,- Affirmation-Restitution-Minor's Agreement and Estoppel-Evaluation of Minor's Agreement

MODULE – V: Consent: Need, Definition-Free Consent-Factors vitiating Free Consent-**Coercion:** definition-Elements-Duress-Doctrine of Economic duress-Effect Undue

Influence: definition- Elements-Parties-Burden of Proof-Independent Advice-Effect
Misrepresentation: definition-Elements-Effects-Misrepresentation of Law andFact
Fraud: definition- Elements-Effects- Suggestion False- SuppresioVeri- Silence as Fraud-
Active concealment of truth-intention
Mistake: definition-Elements-Kinds-Effects-Fundamental error- Mistake of Law and fact-
effect on Consent

MODULE – VI: Void and Voidable Agreements: Lawful and unlawful Consideration and
objects- wagering and contingent Agreement- Illegal and void and bovid agreements and
their effect
Discharge of Contract: Meaning – Modes

MODULE – VII: Performance of Contract: Valid tender of performance- Reciprocal
performance- Impossibility of performance-Time as essence of Contract

MODULE – VIII: Discharge of Contract: Meaning – Modes-

Breach of Contract: definition – Elements – Effects Frustration: definition – Elements – Effects
Rescission, Alternation –Waiver

MODULE – IX: Quasi Contract

MODULE – X: Remedies in Contract

(Indian Contract Act, 1872 (As amended up to date) Section 1- 75)

II. SPECIFIC RELIEF:

MODULE XI: Specific performance of contract

MODULE XII: Specific Enforcement of Contract – against whom ordered

MODULE XIII: Rescission of Contract and Cancellation of Instruments

MODULE XIV: Injunction- definition- Elements – Effects

MODULE XV: Discretion and powers of Court
(Specific Relief Act,)

****** Students are expected to read current case laws. Only the current enactments and
enactments as amended up to date will be taught.**

RECOMNDDED READING

****** Only current editions are to be read.**

1. Chesire & Fifoot, Cases on Law of Contract, Butterwoths.
2. G. Treitel, The Law of Contract, Sweet and Maxwell
3. Anson, The Law of Contract, Oxford University Press
4. Cheshire and Fifoot, Cases on Law of Contract, Oxford University Press
5. Chitty, Contracts, Vol. I And XXIX , Sweet and Maxwell
6. Avtar Singh, Principles of Mercantile Law, Eastern Book Co.

LAW OF TORTS INCLUDING M.V. ACCIDENTS AND CONSUMER PROTECTION LAWS

OBJECTIVES OF THE COURSE: There is a twilight zone between Contract and crime where there is only the concept of wrong and not offence and breach. Law of Torts along with other enactment introduces the student to this unique world of wrongs.

Marks – 100 Credit : 04

MODULE – I : Origin of Tort Theory, Development of Law of Torts in England and in India
Definition , Nature and Scope of Torts

MODULE – II : GENERAL PRINCIPLES OF TORTS

Essential of Torts- Act or Omission, Mental element, damages (Injuria sine Damnum and Damnum sine Injuria)

Damages – (Remoteness of damage causation)

General Defences – capacity, Vicarious liability, Joint and Several Tort feasor, Extinction of liability etc.

General Exception to liability – Act of State, Judicial and Quasi Judicial Acts, Parental and Quasi parental Act, Necessity, Inevitable accident, mistake, Leave and license, Act of Good Self Defence.

MODULE – III: SPECIFIC TORTS

1. Torts based on international wrong-doing
 - a. Trespass to person-assault, Battery, False Imprisonment
 - b. Trespass to land and Chattel
 - c. Deceit
 - d. Malicious Prosecution.

2. Negligence- Torts based on negligent wrongdoing.
3. Nervous shock
4. Nuisance,
5. Defamation
6. Torts based on strict and absolute liability

MODULE – IV: CONSUMER PROTECTION ACT, 1986.

Aims and objectives of the Act

Definition

Rights of the consumer

Consumer Protection Councils

Complaints and process of making of Complaints

Composition, Powers, functions and Jurisdiction of Consumer Dispute Redressal Agencies

Reliefs and Redressal

MODULE – V : MOTOR VEHICLES ACT, 1988

Objects and Reasons

Definitions

Licensing of Drivers of Motor vehicle

Registration of Motor vehicles

Liability without fault in certain cases

Insurance of Motor vehicles against third party risk

*******Students are expected to read current case laws. Only the current enactments and enactments as amended upto date will be taught.**

Recommended READING

******* Only current editions are to be read**

1. MARK LUNEY & KEN OLIPHANT, TORT LAW: TEXT AND MATERIAL, OXFORD UNIVERISTYPRESS
2. W.V.H. ROGERS, WINFIELD & JOLOWICZ ON TORTS, SWEER &MAXWELL
3. R.F.V. HEUSTON (Ed), SALMOND AND HEUSTON ON LAW OF TORTS, SWEET &MAXWELL.
4. RATANLAL & DHIRAJLAL, THE LAW OF TORTS, WADHWA &COMPANY
5. P.S. ACHUTHAN PILLAI, EASTERN BOOKCOMPANY

CONSTITUTIONAL LAW OF INDIA – I

OBJECTIVE OF THE COURSE :Constitution is the foundation of a nation and fountain head

of all laws. This module introduces the students to the characteristics of the constitution and the fundamental rights that are enshrined in the constitution.

Marks – 100 Credit : 04

MODULE – I :Constitutional Developments since 1858-1947

MODULE – II :Characteristics of Indian Constitution

MODULE – III :Definition of the State- Laws inconsistent with or inderogation of the Fundamental Rights

MODULE – IV :Fundamentals Rights – Right to Equality – Right to freedom of Speech and Expression- Right to life and Personal Liberty- Right Against Exploitation- Right to Religion- Cultural and Educational Rights- Right to Constitutional Remedies- Relationship between Fundamental Rights and Directive Principles of State Policy

MODULE – V :The Union Executive – The President: Powers, Functions and Procedure for Impeachment; Council of Ministers and Formation of the Government.

MODULE – VI :The State Executive – the Governor: Powers, Functions and the Role of Governor.

RECOMMENDED READINGS :

******* Only current editions are to be read.**

1. V.N.Shukla, Constitutional Law
2. PandeyJ.N., Constitutional Law
3. BasuD.D., Constitution of India
4. JainM.P., Indian Constitutional Law
5. Seeravai.H.M., Constitution of India
6. Kagzi M.C.J., Constitution of India

FAMILY LAW I

OBJECTIVE OF THE COURSE: Family is the smallest yet a very important unit of the society. The issues within the family are a concern for law but also of religion, culture and custom. This module acquaints the students with the intricacies of family and the law relating to them.

Marks – 100

Credit : 04

MODULE – I: Introduction- Nature, Origin, Characteristics, Philosophy, Concept and Application of Hindu Law

MODULE – II: Sources of Hindu Law

MODULE – III: Schools of Hindu Law

MODULE – IV: Marriage, Divorce and Maintenance:

Historical Background, Forms of Marriage, Legal effects of Marriage, Capacity of Marriage, Ceremonies and Registration of Marriage, Restitution of Conjugal Rights, Dowry, Nullity of Marriages, Judicial Separation, Divorce and its various theories, Maintenance and Custody of Children. The Hindu Marriage Act, 1956, Section 125 to 128 of the Code of Criminal Procedure, 1973, The Hindu Adoptions and Maintenance Act, 1956 (Section 1 to 4 and 18 TO 30), the Dowry Prohibition Act, 1961, The Protection of Women from Domestic Violence Act, 2005, the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

MODULE – V: Law relating to Property:

Early law of Property, Joint Family, Liability of debts, Alienations, Partition, Women's Property, and The Hindu Women's Right to Property Act, 1937, Succession under the Mitakshara and Dayabhaga School, Succession (The Hindu Succession Act, 1956- Sections 1 to 30), Gifts, Wills, Impartible Estates.

MODULE – VI: Minority and Guardianship:

Guardianship of a person, Types of Guardian, Powers, Rights, Duties and Liabilities of Guardians, Removal of Guardians. The Hindu Minority and Guardians Act, 1956 (Section 1 to 13)

MODULE – VII: Adoption:

Sonship, Adoption, Evolution of Adoption, Types of Adoption, Ceremonies and Methods to be followed in Adoption, Disqualification for Adoption, Valid and invalid Adoption, Doctrine of

Factum Valet, who may give in adoption, Who may be taken in Adoptions and Maintenance Act, 1956 (Section 1 to 17)

******* Students are expected to read current case laws. Only the current enactments and enactments as amended up to date will be taught.**

RECOMMENDED READINGS :

***** Only current editions are to be read.

1. N.R. Raghavachariar – Hindu Law: Principles and Precedents
2. J.D. Mayne- Hindu Law and usage
3. Mulla- Hindu Law
4. Dr. Paras Diwan- Modern Hindu Law
5. B.M. Gandhi- Hindu Law
6. Dr. Sir Hari Singh Gour- Hindu Code
7. A.N. Saha – Marriage and Divorce
8. H.K. Saharay- Law of Marriage and Divorce
9. G. Chakraborty- Law of Maintenance

LEGAL WRITING AND CONTRACT DRAFTING

1. Put up Petition
2. Hajeera Petition
3. F. I. R.
4. Petition for birth Certificate
5. Affidavit
6. Adjournment Petition
7. Money Receipts

8. Promissory Note
9. Bonds
10. Simple Business Letter
11. Bonds
12. Application for Bail
13. Searching Report (Model form)
14. Commission Report (Model form)
15. Complaint (Model form)
16. Transfer Petition (Model form)
17. Petition under Section-205 CrPC
18. Amendment petition (Model form)
19. General Power of Attorney (Model form)
20. Special Power of Attorney (Model form)
21. Petition to Plead Guilty (Model form)
22. Condition Waiver Petition (Model form)
23. Judgment Writing