

**School of Law, HILSR
Jamia Hamdard**

Course Syllabus

Course Overview:

Course Title: Mercantile Law

Course Code: BALLB – 303

Semester: Third

Credits: 4

Medium of Instruction/Assessment: English

Objectives of the Course:

This paper aims to train the students of law in the legal framework concerning two important branches of specific contracts. In the first three units, the paper offers a basic knowledge of law relating to sale and purchase of goods in India. In the last two units, the paper affords an understanding and analysis of the law relating to partnerships in India. Both these branches of the law will be taught with a comparative perspective.

Learning Outcomes:

At the end of this course, students will be able to do the following:

1. Identify the principles and doctrines that guide formation of contracts of sale and partnerships.
2. Exhibit an understanding of the important concepts in law on sale of goods and partnerships.
3. Determine what rights a person acquires under a contract of sale.
4. Know the circumstances under which a partnership firm can be entered into.
5. Know the rights and duties of the partners in a partnership firm.

Assessment and Evaluation:

The course has a weightage of 100 marks. 75 % of the marks will be covered by the End Semester Examination; while as 25 % will constitute internal assessment to be done by the concerned instructor.

(A) End Semester Examination: There shall be ten questions in the Question paper with two from each unit. Students shall have to answer five questions in all selecting one from each unit.

(B) Internal Assessment: Students will be assessed and evaluated by the concerned teacher during the entire semester at regular intervals. This will be done by employing a wide range of methods including written tests, tutorials, term paper writing, presentations etc. Attendance of the students will also form a part of the internal assessment.

Course Outline:

The course is based on five units.

Unit – I

- Law on Sale of Goods: An Introduction
- Contract of Sale and its essentials
- Comparisons between Sale and Agreement to Sell
- Comparisons between Sale and Hire-Purchase Agreement

Unit – II

- Conditions and Warranties
- Passing of Property

Unit – III

- Transfer of Title
- Rights of unpaid seller

Unit – IV

- Partnership, its nature and definition
- Relationship between partners
- Relation of partners to third parties

Unit – V

- Incoming and outgoing parties
- Partnership registration
- Dissolution of partnership

Readings:

1. Avtar Singh, *Principles of law of Sale of goods Act and Hire Purchase.*
2. Benjamin, *Sale of Goods.*
3. Pollock and Mulla, *Law on Sale of Goods.*
4. Pollock and Mulla, *Law on Partnerships.*