

UNIVERSITY COLLEGE OF LAW
KAKATIYA UNIVERSITY, WARANGAL, TELANGANA
LL.B. (5YDC) COURSE SYLLABUS (WITH EFFECT FROM 2020-2021)
LL.B (5YDC) III Year: Semester – VI
PAPER – I:
LAW OF CONTRACTS–II

Theory

6 Hours/Per Week

Marks: 100 (External Exam)

Unit-I:

Indemnity and Guarantee - Contract of Indemnity - Definition - Rights of Indemnity Holder - Liability of the Indemnified - Contract of Guarantee -Definition of Guarantee – Essential characteristics of Contract of Guarantee - Distinction between Indemnity and Guarantee - Kinds of Guarantee - Rights and liabilities of Surety - Co-sureties - Discharge of surety's liability.

Unit-II:

Contract of Bailment - Definition of Bailment - Essential requisites of Bailment - Kinds of Bailment - Rights and duties of Bailor and Bailee – Termination of Bailment - Pledge - Definition of pledge - Who can Pledge - Rights and duties of Pawnor and Pawnee -Pledge by non-owner.

Unit-III:

Contract of Agency - Definition of Agent- Essentials of Agency - Creation of Agency - Undisclosed Principal - Rights and duties of Agent -Delegation of authority - Personal liability of Agent - Relations of principal and Agent with third parties -Termination of Agency.

Unit-IV:

Contract of sale of Goods – Formation of contract of sale - Sale and Agreement to Sell -Conditions and Warranties - Express and implied Conditions and Warranties - Caveat Emptor - Sale by non owner - *Nemo dat quad non habet* - Rights and duties of seller and buyer before and after sale – Rights of Unpaid Seller - Remedies of breach.

Unit-V:

Contract of Partnership - Definition and nature of Partnership - Formation of Partnership - Test of Partnership - Partnership and other Associations- Registration of firm - Effect on non registration - Relations of partners - Rights and duties of partners -Property of firm - Relation of partners to third parties -Implied authority of partners - Kinds of partners – Minoras partner - Reconstitution of firm - Dissolution of firm – Salient Features of Limited Liability Partnership Act, 2008.

Suggested Readings:

1. Anson's *Law of Contract*, Oxford University Press, London, 1988.
2. Venkatesh Iyyer: *The Law of Contracts and Tenders*, Gogia & Company Hyderabad.
3. Cheshire & Fifoot: *Law of Contract*, Butterworth, London, 1976.
4. Mulla: *The Indian Contract Act*, N.M.Tripathi (P) Ltd. Bombay, 1984.
5. G.C.V. Subba Rao: *Law of Contracts*, S. Gogia & Co., Hyderabad, 1995.

PAPER – II:

FAMILY LAW-II (Muslim Law and Other Personal Laws)

Theory

6 Hours/Per Week

Marks:100 (External Exam)

Unit-I:

Origin and development of Muslim law- Sources of Muslim Law- Schools of Muslim law - Difference between Sunni and Shia schools –Sub-Schools -Operation and application of Muslim law -Conversion to Islam- Effects of conversion--Law of marriage -nature of Muslim marriage - Essential requirements of Valid Marriage - Kinds of Marriage -distinction between valid, irregular and void marriage –Muta marriage - Dower- Origin nature and importance of Dower- object of Dower and classification of Dower.

Unit-II:

Divorce/Talaq – Dissolution of Muslim Marriage-Classification of divorce - -Legal consequences of divorce - Dissolution of Muslim marriage Act, 1939 – Triple Talaq-The Muslim Women (Protection of Rights and Divorce) Act, 1986 - The Muslim Women (Protection of Rights on Marriage) Act, 2019 - Maintenance -Principles of maintenance, persons entitled to maintenance –Effects of conversion on maintenance and difference between Shia and Sunni law.

Unit-III:

Gift - Definition of gift - Requisites of valid gift - Gift formalities -Revocation of gifts- Kinds of gift -Wills - Meaning of Will- Requisites of valid Will- Revocation of Will -Distinction between Will and Gift- Difference between Shia and Sunni Law- Definition- Essentials of Wakfs -Kinds of Wakfs- Creation of Wakfs- Revocation of Wakf- Salient features of Wakf Act, 1995- Mutawalli- Who can be a Mutawalli - Powers and duties of Mutawalli- Removal of Mutawalli and management of Wakf property- Wakf Tribunals and jurisdiction.

Unit-IV:

Parentage - Maternity and Paternity -Legitimacy and acknowledgement- Guardianship -meaning - Kinds of guardianship -Removal of guardian -Difference between Shia and Sunni law –Succession- Sunni(Hanafi) and Shia law of succession –Doctrines of Aul and Radd- Difference between Sunni and Shia law of succession

Unit-V:

The Christian Marriage Act , 1872 – Indian Divorce Act, 1872 - Salient features of The Indian Divorce (Amendment) Act, 2001 - Matrimonial Remedies under Divorce Act 2001- Domicile - Codicil-Probate and Letters of Administration -Succession Certificate-Kinds of Wills - Intestate succession of Christian under Indian Succession Act , 1925 - Salient features of The Special Marriage Act, 1954.

Suggested Readings:

1. Tahir Mahmood: *The Muslim Law of India*, 1980, Law Book Company, Allahabad,1980.
2. Aquil Ahmed: *Text Book of Mohammadan Law*, Central Law Agency, Allahabad, 1992.
3. Prof. G.C.V. Subba Rao: *Family Law in India*, S.Gogia & Company, Hyderabad, 1993.
4. Asaf A.A.Fyzee: *Outlines of Mohammadan Law*, Oxford University Press, Delhi, 1999.
5. Mulla: *Principles of Mohammedan Law*.
6. Paras Divan: *Family Law (Hindu, Muslim, Christian, Parsi and Others)*, Allahabad Law Agency, Allahabad.

PAPER-III:
CONSTITUTIONAL LAW-II

Theory

6 Hours/Per Week

Marks:100 (External Exam)

Unit – I:

Executive under Indian Constitution- President and Prime Minister, Council of Ministers -Governor and Chief Minister, Council of Ministers- Powers and Position-Union Legislature-State Legislature – Composition-Powers and Functions- Codification of privileges and Immunities of Parliament Members-Anti Defection laws.

Unit – II:

Union Judiciary-Supreme Court-Appointment of the Judges- Issues and emerging challenges – Judicial dissent and freedom of speech and expression – Contempt of Court -Removal of Judges- Powers and Jurisdiction of Supreme Court-High Courts- Transfer of Judges-Powers and Jurisdiction- Subordinate Judiciary-Independence of Judiciary-Judicial Activism-Judicial Accountability.

Unit – III:

Centre-State Relations –General Principles – Legislature- Administrative and Financial Relations- Concept of Co-operative Federalism –Recent Trends- Judicial interpretation of Central-State Relations- Evolved Doctrines.

Unit – IV:

Liability of State in Torts and Contracts – Principle of Vicarious Liability - Freedom of Interstate Trade and Commerce and Inter Course - Services under the Union and State - All India Services – Public Service Commission.

Unit – V:

Emergency-Need of Emergency Powers -Classification of Emergency – National , State and Financial Emergency - Impact of Emergency on Federalism and Fundamental Rights-Amendment of the Indian Constitution-Basic structure theory.

Suggested Readings:

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa & Co, Nagpur
2. V.N.Shukla, *Constitution of India*, Eastern Book Company, Lucknow
3. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
4. H.M.Seervai, *Constitutional Law of India* (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, *Indian Constitutional Law*, S.Gogia & Co., Hyderabad
6. B.Shiva Rao, *Framing of India's Constitution* (in 5 Volumes), Indian Institute of Public Administration, New Delhi
7. J.N.Pandey, *Constitutional Law of India*, Central Law Agency, Allahabad

PAPER – IV:
LAW OF CRIMES

Theory **6 Hours/Per Week**

Marks:100 (External Exam)

Unit-I :

Concept of crime - Definition and meaning of crime - Distinction between crime and tort - Stages of crime - Intention, Preparation, Attempt and Commission of Crime - Elements of Crime - *Actus Reus and Mensrea* - Codification of Law of Crimes in India - Application of the Indian Penal Code - Territorial and Extra Territorial application - General Explanations - Punishments.

Unit-II:

General exceptions - Abetment - Criminal Conspiracy - Offences against the State - Offences against public peace and Tranquility.

Unit-III:

Offences affecting human body (offences affecting human life) Culpable Homicide and Murder – Hurt and Grievous Hurt - Wrongful restraint and Wrongful confinement - Criminal force and Assault - Kidnapping and abduction - Sexual offences - Unnatural offences.

Unit-IV:

Offences affecting the public health, safety, convenience, decency and morals - Offences against Property - Theft - Extortion - Robbery & Dacoity - Cheating - Mischief - Criminal Trespass – Criminal misappropriation and Criminal breach of trust.

Unit-V :

Offences by or relating to Public Servants - False Evidence and offences against Public Justice - Offences relating to Documents - Offences relating to Marriage – Decriminalisation of Adultery in India – Cruelty by husband and relatives of husband – Defamation - Decriminalization of Sec.377, IPC.

Suggested Readings:

1. Ratan Lal and Dhiraj Lal: *Indian Penal Code*, Wadhwa & Co., 2000.
2. Achutan Pillai: *Criminal Law*, Butterworth Co., 2000.
3. Gour K.D.: *Criminal Law - Cases and Materials*, Butterworth Co., 1999.
4. Kenny's: *Outlines of Criminal Law*, 1998

PAPER-V:
COMPANY LAW

Theory

6 Hours/Per Week

Marks:100 (External Exam)

Unit – I:

Corporate Personality - General Principles of Company Law –Evolution of Company Law in India - Companies Act, 1956 – Companies Act, 2013 and Recent Amendments - Nature and Definition of Company - Private Company and Public Company – Characteristics of a Company - Different kinds of Company - Registration & Incorporation of Company –Advantages and Disadvantages of Incorporation - Lifting of the Corporate Veil – Company distinguished from Partnership, HUF and LLP.

Unit –II:

Promoters - Memorandum of Association - Doctrine of *Ultravires* - Articles of Association - Doctrine of Indoor Management - Prospectus - Civil and Criminal liability for misstatement in Prospectus - Statement in lieu of Prospectus – Pre-incorporation Contracts - Membership in a Company –Modes of Acquisition of Membership in Company – Members and Share Holders.

Unit –III:

Shares & Stock - Kinds of shares –Share Capital - Statutory restrictions on allotment of shares - Intermediaries – Call on shares for future of shares- Transfer of shares –Transmission of shares – Reduction on transfer of shares - Rectification of register on transfer - Certification and issue of certificate of transfer of shares – Limitation of time for issue of certificates - Object and effect of share certificate-Debentures & Charges - Borrowing Powers of a Company.

Unit –IV:

Directors – Different kinds of Directors - Appointment, position , qualifications and disqualifications - Powers of Directors - Rights and Duties of Directors – Corporate Governance and Role of Directors - Meetings and proceedings - Kinds of Meetings - Statutory meeting- Statutory report - Annual General Meeting - Extraordinary meeting - Power of the Tribunal to order meeting - Class meetings - Requisites for a valid meeting -Proxy - Resolutions – Minutes-Shareholders Activism-Corporate Social Responsibility.

Unit –V:

Accounts and Audit - Majority Rule and Rights of Minority share holders - Prevention of Oppression and Mismanagement - Mergers, Amalgamation and Takeover- Dissolution of a company – Winding up of Companies-Modes of Winding up of Companies – Consequences of winding up –Functions of Liquidator - Authorities under the Act- Department of Company Affairs - NCLT, NCLAT – Jurisdiction of Courts.

Suggested Readings:

1. Shah : Lectures on Company Law, N.M. Tripathi, Bombay
2. Avtar Sing : Company Law, Eastern Book Company, 2001.
3. Charlesworth : Company Law, Sweet and Maxwell, 1996.
4. Ramaiah : Company Law, Wadhwa & Co., 2001.