

Ans) Essentials of a Valid Contract -

1) An agreement:

2) Free Consent:

3) Capacity of the Parties:

4) Consideration:

5) Lawful Consideration and Object:

Case Study Questions

4 to 5 Marks

classmate

Date _____

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Ans) 1) Facts: (About case)

2) Reference: (Law related to case)

3) Analysis: (Case Analysis)

4) Conclusion: (Answer)

(4) Distinction between Fraud and misrepresentation-

Basis	Fraud	Misrepresentation
Intention	To deceive the other party by hiding the truth.	There is no such intention to deceive the other party.
Knowledge of Truth	The person making the suggestion believes that the statement is untrue.	The person making the statement believes it to be true, although it is not true.
Rescission of the contract and claim for damages	The injured party can repudiate the contract and claim damages.	The injured party is entitled to repudiate the contract or sue for restitution but cannot claim the damages.
Means to discover the Truth	The party using the fraudulent act cannot secure or protect himself by saying that the injured party had means to discover the truth.	Party can always plead that the injured party had the means to discover the truth.