

The

Indian

Contract
Act

1872

* offer

→ when one person signifies his willingness to do or to abstain from doing anything with a view to obtaining his assent to such act he is made to offer.

* Essentials of offer

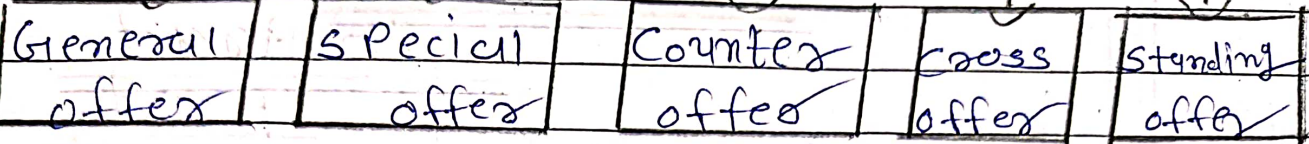
1. The person making the proposal called offeror the person whom the offer is made called the offeree

2. There must be express his willingness to do or not to do some act by the offeror

3. The willingness must be expressed with a view to obtain the assent.

4. Thus doing act is positive or negative

Types of offer



1) General offer:-

→ It is an offer made to public at large and anyone can accept it.

b) Specific / Special offer:-

→ When the offer is made to specific person it is known as...
→ specific person accept the special offer.

c) Cross offer:-

→ When two parties exchange same offers in ignorance at the time of each other's offer is called...
→ A person can't be constructed as acceptance of the another's offer.

①) Counter offer.

→ When the offer is qualified acceptance of the offer subject to modifications in the terms of original...

e) Standing / continuing / open offer.

→ An offer which is allowed to open for acceptance over a period of time is known.

Essentials of valid offer

1) It must be capable of creating legal relations.

→ offer must be capable of arising relationship.

2) It must be certain, definite not vague.
→ the offer is not capable of being accepted for want of certainty.

3) An offer must be communicated to the offeree.
→ unless an offer is communicated there can be no acceptance by it.

4) offer made be with a view to obtaining assent to another party.

5) An offer can be made subject to any terms and conditions by the offeror.

6) one cannot say if acceptance is not communicated by a certain time the offer would be considered as accepted

7) The offer may be either specific or general offer.

8) The offer may be either Express or Implied.

9) offer is different from a mere statement of intention, an invitation to offer, a communication of information, a prospectus and advertisement

→ The price list of goods does not constitute an offer.

→ when goods through auction to sell but the items are not put for sale through persons who have the intention to purchase may have

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10) A statement of price is not an offer.