

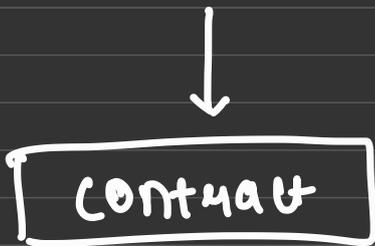
3

# Social Agreement -

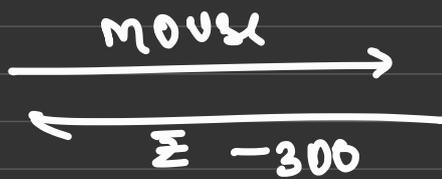
## Agreement

" Enforceable by law "

" NOT Enforceable by law "



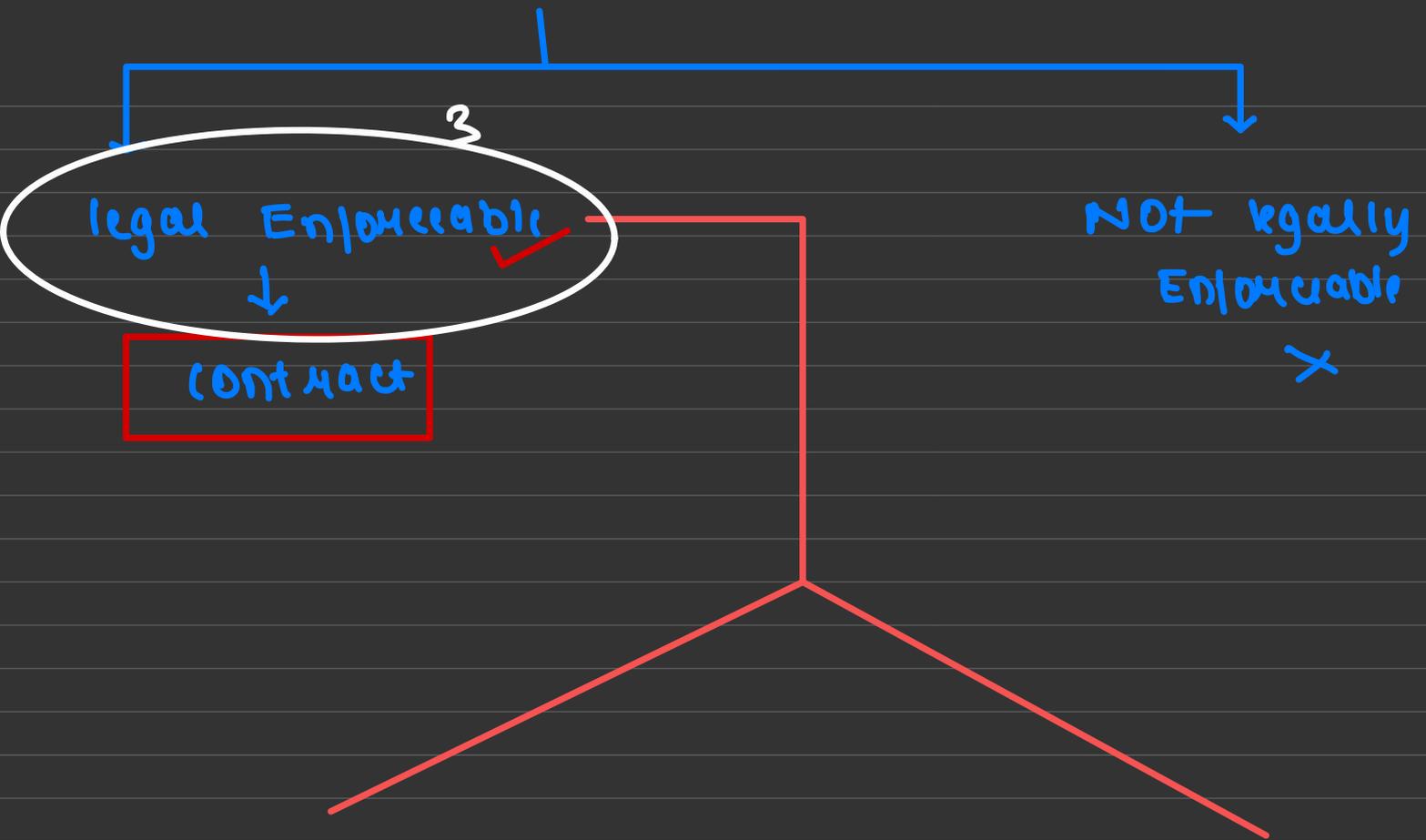
- Illegal
- Dinner
- iPhone



Stick figure  
"Nandisha"

$$(O_1 + A_1) + (O_2 + A_2) = \text{Agreement}$$





consideration  
Illegal → X

Object  
legal  
Drugs X  
RD X (X)

3  
+ Possible of Paying

Sec 2(b)

when a person to whom proposal is made signifies his assent thereto, Proposal is said to be accepted. Accepted Proposal ← Promise

2(c): Every promise and set of promises forming consideration for each other.

Essence

(1) ↑  
Agreement + Enforceability

(2)

= contract  
sec 2(h)

Offer + Acceptance  
proposal

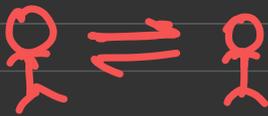
"An agreement  
enforceable by  
law"

## Essentials (Features of valid characteristic of " )

Not given by section 10  
(general)

② ✓

• two parties



• Intention to create legal obligation

• Other Formalities (written)

• Certainty

• Possibility of performance.

given by  
section

① ✓

10  
Indian ©)

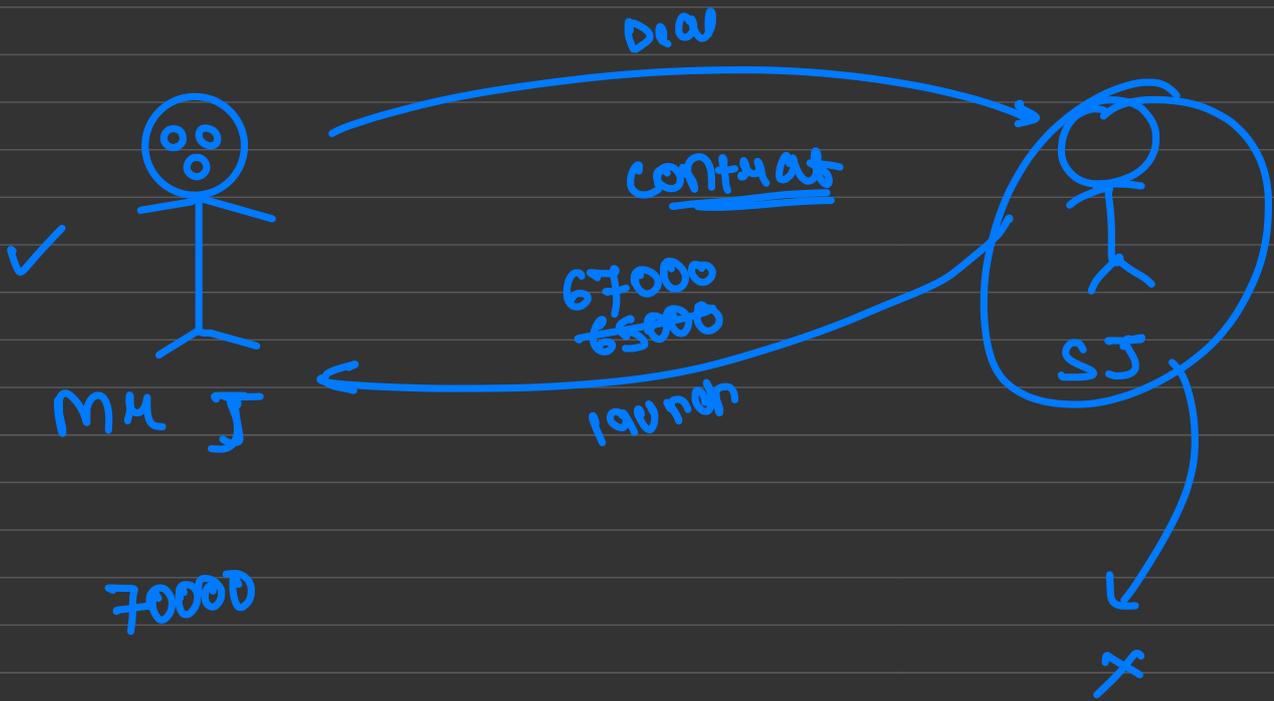
• offer and Acceptance  
of agreement

• Full consent

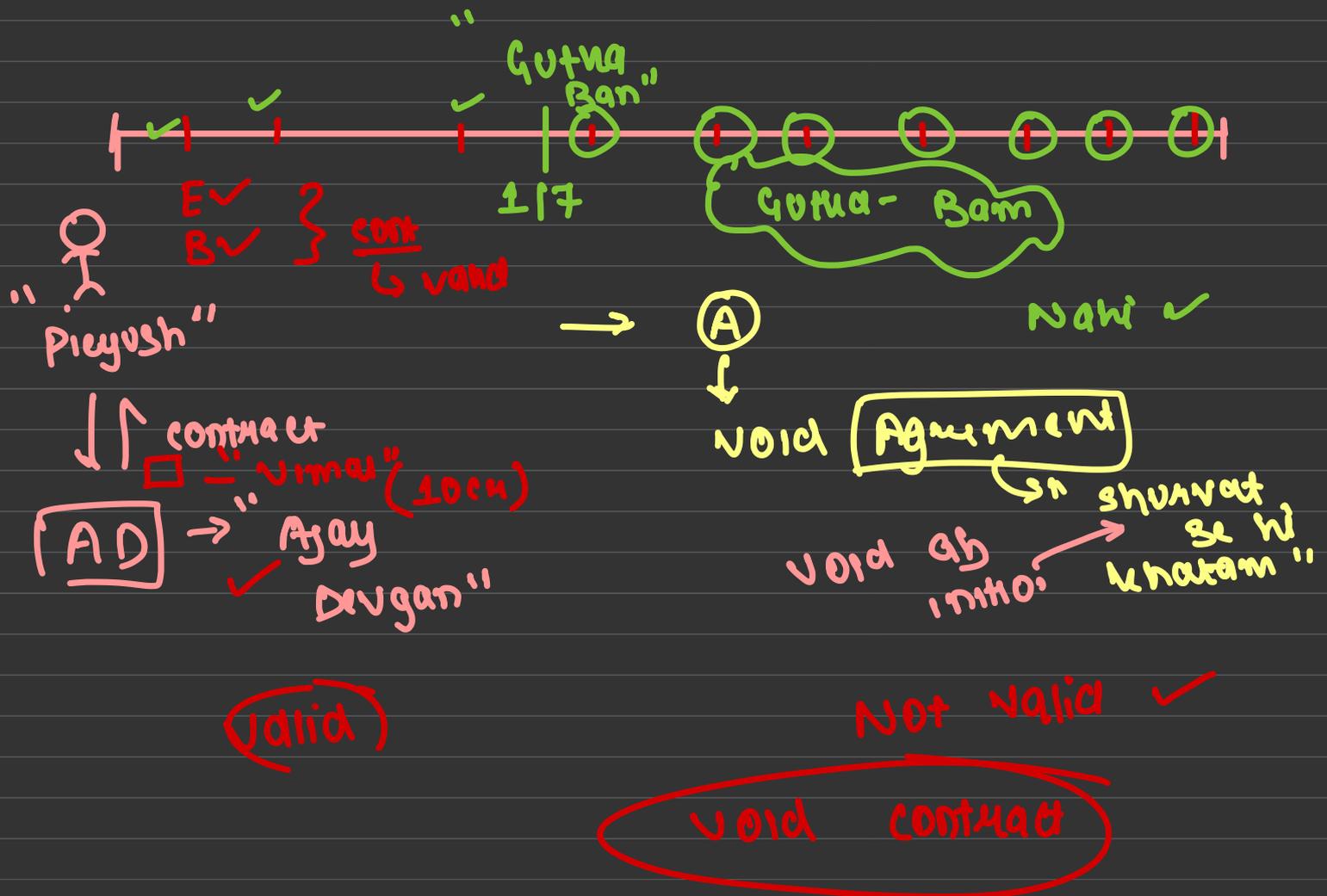
• capacity of parties

• consideration  
lawful consent  
and object

a) valid contract



b) void contract

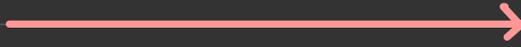


"Teru Nam"

~~ushtng~~



marriage



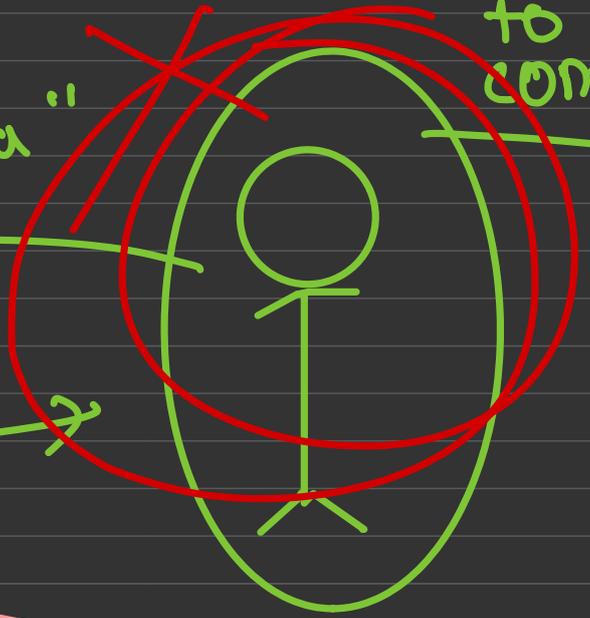
properties



3rd party to contract

"Aisa hi chahenga"

P



suit by 3rd party to contract

void

consn by 3rd P

valid

(man maazi se diya hua)

# FREE CONSENT

=> consent which is given by ENTIRE willingness of only one person on his own is Full consent

eg. Iq damas min aaye.

can be vitiated

COERCION

Damage to Person OR Property OR threat to damage to person/property is coercion

kahte - munda  
kahte son - munda  
phow - phod dunga.

(Kidnapping - threat to damage)

undue Influence when a superior person in contract take advantage of inferior person to contract and injure in prejudice manner.

Mistake

when a person unknowingly does a wrong is mistake.

Employer  
↓  
Employee  
overrule

Teacher  
↓  
student  
wrong teaching  
wrong direction → (sona chandi)

Physical x mental ✓  
Doctor  
↓  
Patient  
✓ wrong treatment  
sason

Govt officer  
↓  
Public

# "FREE CONSENT"

⇒ consent which is given by  
Entire willing man of only one  
person on his own is Free  
consent

can be vitiated  
(Damage)

COERCION

Damage to Person or  
Property  
OR  
Threat to Damage  
to Person / Property.

undue Influence

when a superior  
person in contract  
take Advantage  
of inferior person  
to contract and  
influence in prejudicial  
manner.

Mistake

when a  
person  
unknowingly  
do wrong  
is mistake.

Employer  
↓  
Employee

Doctor  
↓  
Patient

Contractor  
↓  
labour

Father/m.  
↓  
son

# COERCION.

committing  
or  
threatening  
to  
commit

Act,

Forbidden  
by  
IPC.

Unlawful  
Detaining or  
threatening  
to  
Detain

Any Property

Intention  
↓  
Enter into  
contract

Immature  
IPC  
in  
Force or  
NOT

Effects

contract



VOIDABLE

money



RETURN.

✓ Any Benefit Derived



RETURN

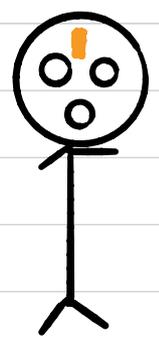


# Champerty



Benefit x 50%

Agree (win) case



"lawyer"

Benefit ✓

C/M

India law

England law

whether advance made for gambling litigation?

**VOID**

yes

no

**VOID**

mala fide intend

whether claim is of nature when NO suit is RA to settle

no

yes

**VOID**

**VALID**