

**DIRECTORATE OF DISTANCE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD**

***Post-Graduate Diploma in Drafting, Negotiation & Enforcement of Contracts
(Batch 2020 – 2021)***

Take Home – Supplementary Examination (November, 2021)

**Paper IV – 1.4. Remedies for Enforcement, Breach and Performance of
Contracts**

TOTAL MARKS: 100

INSTRUCTIONS TO CANDIDATES

- a) Read the instructions for Take Home Examination carefully and adhere to the same.
 - b) *Please mention your name, ID No., subject name and total number of pages on the Answer Sheet.*
 - c) *Clearly indicate the question numbers while answering them.*
 - d) There are FOUR questions in this paper and each question will be evaluated for 25 marks.
 - e) *The approximate word limit for a 25 marks question is 800-1000.*
 - f) *All the candidates are required to submit only word / Pdf files containing the typed answers.*
 - g) *All papers will be uploaded on Turn-it-in for plagiarism check. Any paper with more than 15% similarity will be considered to be plagiarized and shall not be evaluated.*
 - h) *Since this is a take home exam, we expect your answers to be analytical rather than straight answers.*
 - i) Substantiate your answers with provisions or case law wherever appropriate
 - j) The questions are detailed exhaustively and no clarifications may be sought.
 - k) Copying from any source including from other students is strictly prohibited. Plagiarism is considered as a serious academic mis-conduct and the University will take action as it deems fit.
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I. Answer the following questions:

- a. Examine the role of Courts in jurisdictions where equitable principles are enforceable. What are the advantages to an aggrieved party when equitable remedies are available in law? **[25 marks]**

II. Answer the following questions:

- a. What role do injunctions play as an equitable remedy? Illustrate with at least three examples and case law as to when a party may want to seek an injunction and what is expected of such party to demonstrate before the courts in order to secure a favourable order? **[25 marks]**

III. Answer the following questions:

- a. Summarize the changes implemented vide the 2018 Amendment to the Specific Relief Act. Critically examine two such changes which codify equitable principles. **[25 marks]**

IV. Answer the following questions:

- a. What is unjust enrichment? **[7 marks]**
- b. Illustrate with two examples where a voidable contract is determined as a valid contract pursuant to an act or omission of a party to the contract. **[8 marks]**
- c. Critically examine the role of liquidated damages in Commercial Contracts. **[10 marks]**