

NATIONAL LAW UNIVERSITY DELHI

LL.M. (Professional), Semester-II (Regular Students-Batch of 2021)

End Semester Assessment (Online), September-2022

Paper: Commercial Contracts and Business Ethics

Time: 6:00 hrs

Total Marks: 70

Instructions:

1. Attempt any five questions. All questions carry equal marks.
2. No clarification shall be sought on the question paper.

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1. Draft a suitable agreement between M/s. Supertech AZB Builders and the flat buye Mr. Govinda taking care of the following necessary clauses including:
 - a) *force majeure* conditions
 - b) non-performance penalties
 - c) time for completion
 - d) dispute resolution,
 - e) the Arbitration Agreement Clause in terms of Arbitration and Conciliation Act, 1996 and
 - f) other requirements of various laws.
 2. To maximise the profit is the ultimate goal of any commercial contract. Elucidate the role of Business Ethics in such contracts in view of this with special reference to Pharma sector.
 3. Write short notes on the following:
 - a) Promissory Estoppel in Contracts
 - b) Agreements in restraint of trade and legal proceedings.
 4. Define breach of Contract. Critically analyse the following clause in a commercial contract:
“Neither party shall be liable to the other party for indirect or consequential loss.”
 5. Standard Form Contracts are a reality of modern-day businesses. It may ensure fairness sometime while some other time may lead to exploitation of one of the party. Discuss the importance and the contents of such agreements alongwith the applicability of doctrine of *Contra Proferentem* while interpreting various terms therein.
 6. There are certain obligations that do not arise out of any contractual relationship but resemble that of arising out of contract. Discuss these with the help of relevant provisions of the Contract Act 1872 and the precedents.