



“बेटी बचाओ, बेटी पढ़ाओ”

JAYOTI VIDYAPEETH WOMEN'S UNIVERSITY, JAIPUR

FACULTY OF LAW & MANAGEMENT

Faculty Name : Ms. Pratibha
Program : LLB, Semester 1st
Course Name : Contract
Topic : Void Contract and voidable contract
Session No. & Name : 2023-2024

Academic Day starts with –

Greeting with saying ‘Namaste’ by joining Hands together following by 2-3 Minutes Happy session, Celebrating birthday of any student of respective class and National Anthem.

Lecture Starts with - Review of previous Session

National song ‘Vande Mataram’

What is a Void Contract?

Void contract definition: A void contract is a type of agreement that is null and invalid from its formation or becomes invalid at some point in the future.

A valid contract can also become void at some point in the future. For parties to form a valid contract, the contract must include essential elements such as acceptance and offer, competent contracting parties, lawful consideration, lawful object, and free consent. If any of the contract’s essential elements listed above become impossible later, the contract will be void. Furthermore, once a

contract becomes void, it is no longer legally enforceable. Let's go through an example to understand the term "void contract" in a better way.

Void contract examples:

- Ankit made a contract with Shubham that he would buy his laptop, and in return, he would give Shubham a packet of Heroin (a highly addictive drug). This contract is void as the product offered is not lawful.
- Shreya contracted with Riya that she would buy her laptop worth one lakh for ₹20. As Riya is not mentally sound, she happily accepts this contract. But, this contract is void as, according to the Indian Contract Act, a person who is not mentally sound cannot make the contract. Hence, from the start only, this contract was invalid.

What is a Voidable Contract?

Voidable contract definition : A voidable contract is a type of agreement that can be made void only by one of the parties that made the contract, and this contract is enforceable by law only by that one party.

In a voidable contract, one party is legally empowered to decide whether or not to perform his part. Furthermore, this contract is only valid until the dissatisfied party cancels it. A dissatisfied party may cancel the contract for various reasons, such as all facts not disclosed, misrepresentation or fraud, contractual error, breach of contract, etc. Let's go through an example to understand the term "voidable contract" in a better way.

Voidable contract examples:

- Ankit and Shubham entered into a bailment agreement. According to the contract, Ankit will purchase 100 high-quality sweets from Shubham's sweet shop for ₹30 per piece. As a result, the total cost of the contract is ₹30,000. Shubham agreed to the contract and sold Ankit 100 pieces of candy.

However, half of the sweets were of poor quality. Ankit now has the option to declare the contract null and void because Shubham failed to meet the terms of the agreement.

- Shreya made a deal with Riya to purchase the laptop for ₹30,000. However, Riya was still a minor when she signed the contract. This is a voidable contract because Riya is unable to communicate. A person who is not a major or has reached 18 cannot make a contract under the Indian Contract Act. As a result, the signed contract will be voidable.