



**NATIONAL OPEN UNIVERSITY OF NIGERIA**  
**PLOT 91, CADASTRAL ZONE, NNAMDI AZIKWE EXPRESS WAY, JABI – ABUJA**  
**FACULTY OF LAW**  
**JANUARY 2018 EXAMINATION**

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**COURSE CODE: CIL 234**

**COURSE TITLE: LAW OF CONTRACT II**

**CREDIT UNIT: 4**

**TIME ALLOWED: 2 ½ hrs**

**INSTRUCTIONS: ANSWER QUESTION ONE AND ANY OTHER THREE QUESTIONS.**

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1. Amin A. Kalo Jnr. is the son of Chief Amin B. Kalo. The son got hold of title deeds to one of his father's houses and sold the house to Mr. May. After completing renovations on the house, he discovered that the house belongs to Chief Amin. What cause of action has arisen and what advice and remedies are available to the parties?
2. Stephanie, a 17 year old girl bought a brand new Starblack generator set from Plays, the biggest electronic store in town with money she has been saving for the past two years. One hour after setting up the generating set in her apartment, there was a loud sound following some sparks of light from the generator, then it caught fire that burnt down some parts of the house. The fire also destroyed her valuables. She is unhappy with this development and goes back to Plays telling the staff who installed the generator that "I want you to give me another generating set and a N100,000 for damages unless, I will expose the incompetence of your products on facebook". The Manager of Plays agreed to give her another generator and the money. Stephanie's cousin a staff of Plays advised her to sue Starblack for one million naira, as they are a rich company and can pay. Discuss the legal issues and advise the parties.
3. Adumbrate the ways in which a contract can come to an end.
4. Discuss the validity of the following transactions: (a) Yakubu entered into an agreement to lease Hally's farmland annually. She sent a document under seal to Yakubu to sign containing the terms of the agreement. This he acknowledged. Five years later Hally made a phone call to Yakubu informing him she requires the land to build a school on it. Construction workers have arrived and are about to commence construction on the land.

Yakubu insists that his agreement with Hally still subsists. Discuss the legal issues and advise the parties.

5. Gregg just completed renovations on his new house and he employed the services of Debby to construct a 3D floor in the compound. Two days after the commencement of the flooring while half of the compound had been floored, there was a heavy storm and rain in the town that lasted for two weeks. After which there was severe flood of the area that lasted for a month. After the flood, Gregg contacted Debby who refused to continue the construction because working in Gregg's town is a bad market. Gregg employed the services of another worker David to use Debby's abandoned equipment to complete the flooring. Meanwhile Debby has asked Gregg to pay him the money for the job he did. Discuss the validity of this transaction and what remedy (ies) are available to the parties. Would your answer be different if the flood had lasted two years?
6. Discuss the circumstances in which the courts will refrain from granting Specific performance remedy.