



# SNS COLLEGE OF TECHNOLOGY

Coimbatore - 35



19BAT604 – Legal Aspects of Business

Unit II – The Sale of Goods Act 1930



Presented by

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**1<sup>st</sup> Indian**  
*Institution*  
to Implement **Design Thinking Curriculum**

Redesigning Common Mind and Business Towards Excellence



Guess the Topic for today's session!!!



# Implied Warranty in Sales Contract





# Recap....

Implied Conditions in Sales Contract

Condition as to Title

Sale by Description

Sale by Sample

Sale by sample as well as Description

Condition to Quality or Fitness

**IN CASE YOU  
MISSED IT**



# Discussion about....

- Warranty
- Implied Warranty
- Difference between Condition and Warranty
- Caveat Emptor





## CAR TITLE TRANSFER WHEN SELLING A CAR

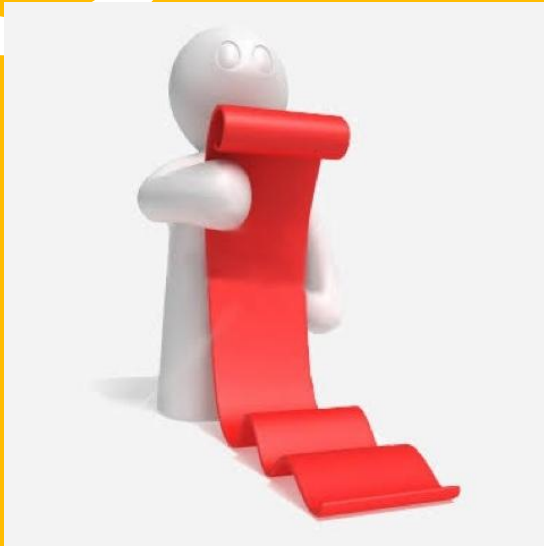


Need to study the  
Warranty





# Warranty



*‘A warranty is a stipulation collateral to the main purpose of the contract, the breach of which gives rise to a claim for damages but not to a right to reject the goods and treat the contract as repudiated’.*



WARRANTY

# Implied Warranty



*Enjoy Possession of the Goods [Section 14(b)]*



# Implied Warranty

## Implied Warranty that the Goods Sold are Free From Any Charge or Encumbrance Sec. 14 ( c )

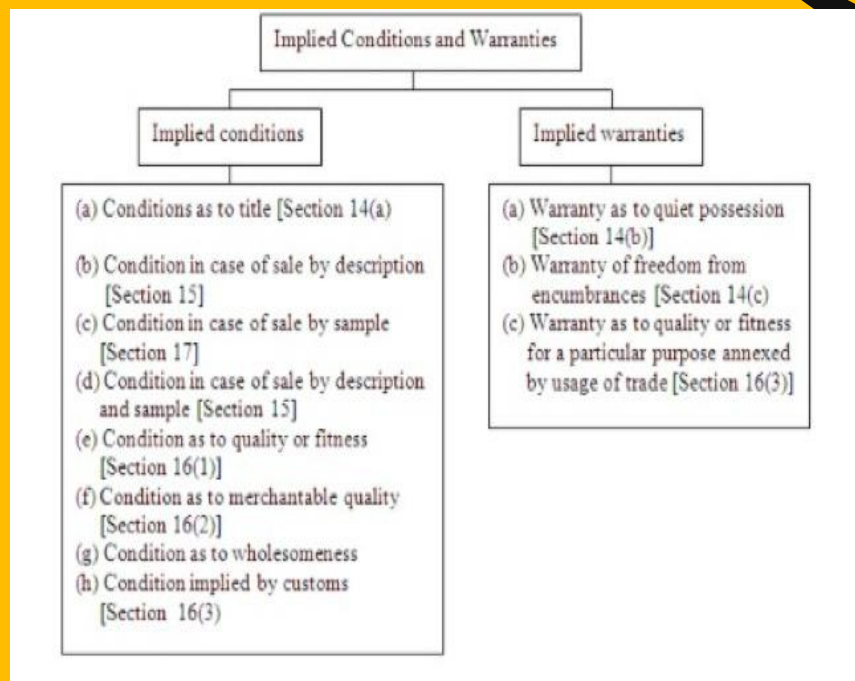
- An implied warranty that the goods shall be free from any charge or encumbrance in favor of any third party not declared or known to the buyer before or at the time when the contract is made.







# Difference between Condition Vs Warranty





# Caveat Emptor

## CAVEAT EMPTOR



Latin for "buyer beware" meaning that the buyer could not recover damages from the seller for defects in the goods that were sold.



# Caveat Emptor

## Doctrine of caveat emptor

'Let the buyer beware'

Ward v. Hobbs. - pigs sold 'with all faults'. typhoid fever. buyer could not claim damages.

Exceptions.

1. Fitness for buyer's purpose.
2. Sale under a patent or trade name.
3. Merchantable quality.
4. Usage of trade.
5. Consent by fraud.
6. Goods are bought by sample & description.



# Knowledge Check

A is a stipulation collateral to main purpose of the contract and the breach of which gives rise to a right to claim for damages but not to a right to reject goods and treat the contract as repudiated:

Condition

Warranty

Terms of contract

Disclaimer

## Warranty



# Summary

- Warranty
- Implied Warranty
- Difference between Condition and Warranty
- Caveat Emptor





# References

➤ <https://www.marketing91.com/sales-contract/>



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# Thanks!

