

(iv) Miscellaneous topics:

(a) Termination of Bailment:

Contract of bailment may be terminated in following circumstances:

- (i) On expiry of stipulated period;
- (ii) on fulfillment of purpose;
- (iii) serving notice of termination to bailee
 - (a) if bailee acts in a manner which is inconsistent with the terms of bailment;
 - (b) at any time, in case of gratuitous bailment.
- (iv) On death of bailor/bailee in case of gratuitous bailment
- (v) on destruction of subject matter of bailment.

(b) Position of finder of goods (Secs. 168 and 169):

Duty: To find the owner of goods and surrender the goods to him
To take reasonable care of goods.

Not to sell the goods except when allowed by law.

- Rights:
- (i) To claim compensation for expenses incurred, if any.
 - (ii) To claim reward, if being offered by owner.
 - (iii) To retain the goods, if compensation or reward not received.
 - (iv) To sue the owner for reward.
 - (v) To sell the goods, if:
 - (a) Goods are perishable in nature or losing the greatest part of its value.
 - (b) Lawful expenses incurred $\geq \frac{2}{3}$ rd of value of goods.

(c) General Lien and Particular Lien (Sec. 170 and 171)

Lien: to retain the possession -

Sec. 170 - (Particular Lien): Bailee has the right to retain the goods until he receives due remuneration for the services he has rendered in respect of these goods -

Sec. 171 (General Lien): Bankers, factors, wharfingers, attorneys of High Court, Policy brokers

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may retain for a general balance of account

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any goods bailed to them.

General Lien v/s Particular Lien:

Contract of Pledge:

- (a) Meaning: - Bailment of goods as security for payment of a debt or performance of a promise is called Pledge.
- Bailor is called as 'Pawnor' and Bailee is called as the 'Pawnee'.

- (b) Rights and duties of Pawnor and Pawnee: Similar to rights and duties of Bailor and bailee to a great extent.

(c) Pledge by Non-owner:

- Pledge by Mercantile Agent (Sec. 178)
- Pledge by a person having possession of goods under a voidable contract (178A)
- Pledge by pawnor having limited interest in goods (Sec. 179)
- Pledge by co-owner having possession of goods.
- Pledge by seller/buyer having possession of goods.

- (d) Distinction between Bailment and Pledge: from book

Home work: Do written practice of any 2-3 Questions.