

Business Law- Case study summaries

Balfour v Balfour

Plaintiff alleged husband promised to pay agreed sum per month, upon separation, seeking recuperation of promised payments. No intention for agreement to be legally enforceable. No formed contract, verbal agreement, ratio decendi, parties did not intend to be legally bound.

Cohen v Cohen

plaintiff chasing agreed dress allowance. Uses Balfour case ratio decendi to deduce that at the time of argument, whether parties intended agreement to be legally enforceable

Emogenous v Greek orthodox community of SA

claimed unpaid long service leave. Decision reached those presumptions can distract from primary inquiry. Judges need to determine the contract intention. Examine subject matter of agreement, states of parties, relation to one another and surrounding circumstances

Handbury v Nolan

Auctioneer offered cow advertising it as pregnant, later found out that cow was not pregnant and was infertile. Broke the express term of the contract, entered contract thinking cow was pregnant. Taking into account statement and circumstances, statement was legally binding.

Oscar Chess Ltd V Williams

Williams too mother's second hand car to dealer to trade in, documents stated car was 1948 but was in fact 39. Given dealers expertise in cars, dealer had onus of verifying age. Statement of age of car was a representation rather than term of contract.

L'estrage v Gracobb

Agreed to sell a cigarette vending machine to L'estrage. L'estrage signed document excluding implied warranties or conditions. Vending machine proved unsatisfactory. L'estrage was bound by the terms of the document signed

Business Law Case Studies And Answers

Michael Rajnik



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