

Source: sooperkanoon.com/act/14391

Indian Contract Act, 1872

Section 70 - Obligation of Person Enjoying Benefit of Non-gratuitous Act

Where a person lawfully does anything for another person, or delivers anything to him, not intending to do so gratuitously, and such other person enjoys the benefit thereof, the latter is bound to make compensation to the former in respect of, or to restore, the thing so done or delivered.^{[1](#)}

Illustrations

(a) A, a tradesman, leaves goods at B's house by mistake. B treats the goods as his own. He is bound to pay A for them.

(b) A saves B's property from fire. A is not entitled to compensation from B, if the circumstances show that he intended to act gratuitously.

1 . As to suits by minors under section 70 in Presidency Small Clause Courts see the Presidency Small Cause Courts Act, 1882 (15 of 1882), section 32.