

CONTRACT OF BAILMENT

Finder of Goods

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Finder of goods

- Section 71 of the Act provides that a person who comes by an article is not obliged to pick it up or take charge of it. But if he does that, he becomes a bailee.



- A finder of goods occupies the position of a bailee of the goods against the true owner. His duty of care and other responsibilities are the same as those of a bailee.



- Section 168 of the Act It states that the finder of goods has no right to sue the owner for compensation for trouble and expense voluntarily incurred by him to preserve the goods and to find out the owner.



- However, he may retain the goods against the owner until he receives such compensation; and, where the owner has offered a specific reward for the return of goods lost, the finder may sue for such reward, and may retain the goods until he receives it.



- Section 169 of the Act provides that when finder of thing commonly on sale may sell it. It states that when a thing which is commonly the subject of sale is lost, if the owner cannot with reasonable diligence be found,



- or if he refuses, upon demand, to pay the lawful charges of the finder, the finder may sell it –



- When the thing is in danger of perishing or of losing the greater part of its value, or,
- When the lawful charges of the finder, in respect of the thing found, amount to two-thirds of its value.



Rights of finder of goods

- Right of lien
- Right against the world except the true owner
- Right to sue for reward
- Right of sale

