

4268

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2. Open and Cross cheques.

3. Designated partner in LLP.

(5×2=10)

6/12/19 Mosu

[This question paper contains 6 printed pages.]

Your Roll No.....

Sr. No. of Question Paper : 4268

Unique Paper Code : 61011504

Name of the Paper : Legal Aspects of Business

Name of the Course : Bachelor of Management Studies (BMS), 2019 (CBCS)

Semester : V

Duration : 3 Hours

Maximum Marks : 75

Instructions for Candidates

1. Write your Roll No. on the top immediately on receipt of this question paper.
2. Attempt **all** questions and marks for each section are mentioned along with it.
3. Quote the relevant cases and sections wherever applicable.

PART A

State whether the following statements are true or false with reasons.

(600)

P.T.O.

1. A person to whom the offer is made is bound to accept the same.
2. A catalogue of variety of goods is an offer.
3. An acceptance with qualifications and conditions is a valid acceptance.
4. The pecuniary jurisdiction of District Forum is upto 20 lakhs under *The Consumer Protection Act 2019*.
5. Bailment arises when a person takes voluntary possession of the goods.
6. In a pledge creditor can sell the goods pledged if there is default by the debtor.
7. The creditors can recover the loan of the company from the shareholders.
8. The liability of partners is always limited in LLP under all circumstances.

1. "Every agreement the object or consideration of which is unlawful is void." Support this statement with illustrations as discussed by The Indian Contract Act 1872.
 2. Explain briefly the nature of surety's liability under the contract of guarantee. When the surety is discharged from the liability?
 3. State the rule of "Doctrine of Caveat Emptor" and the exceptions recognised by Sale of Goods Act, 1930 for this rule.
 4. Explain the role played by the Memorandum of Association and the Articles of Association in the management of the company.
- (10×3=30)

PART D

Write a short note on any **two** of the following.

1. Rights of a consumer as per Consumer Protection Act 2019.

9. A cheque is promissory note issued by the customer of a bank.
10. Under RTI citizen can question the rationale behind the decision of public authority. (2×10=20)

PART B

Discuss the following situations and support your answer with appropriate sections and cases.

1. A sends an offer to sell his car on 15th November 2019 which reaches B on 18th November 2019. B decides to send his acceptance after 26th November and A sends the revocation on 20th November 2019. The revocation of proposal reaches on 27th November 2019. Decide whether the revocation is valid.
2. A deposits a clock for repairing with B and the repairing charges amounted to Rs. 500/-. When A deposited Rs. 500/ but B refuses the delivery and demands Rs. 700/ as A had failed to clear repair charges of mobile phone he had deposited a month back. Decide whether B can legally refuse the delivery.

3. A resolution was passed by the company to transfer certain articles manufactured in their factory to some members. The company refuses to pay taxes on those articles. Decide whether they can legally refuse to pay.

4. Decide whether the following are goods under The Sale of Goods Act 1930.
 - (a) Actionable Claim
 - (b) Water
 - (c) Goodwill

5. A company appoints an officer subject to the condition that after ceasing to be in service he should not join any competing establishment for in India for a period of 15 years in India. Can the company enforce this type of condition in the court of law?
(3×5=15)

PART C

Answer any **three** questions from the following. Support your answer with relevant sections and cases.