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there of being Narayan himself, his wife and five children (each having one share) and transferred his business to the company. In consideration there of Narayan was allotted fully paid up shares and debentures; the latter were secured on the assets of the company. Eventually, the company had to be liquidated and the assets being insufficient to repay either the debentures or the trade auditor, Narayan claimed preference on the ground of being a secured creditor in respect of debentures held by him. The unsecured creditors objected to this claim on the ground that Narayan and his company were one and put in a counter claim that their debts should be discharged first. In the circumstances could Narayan get in repayment a priority over the unsecured creditor? Explain with arguments.

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- (b) Write short notes on : 3+3
- Regulatory provisions for CSR
 - Director of a Company.

A

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Roll No. _____

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M.B.A. (Fourth Semester)

Examination, 2015

Business Legislations

(CP-402)

Time Allowed : Three Hours] [Maximum Marks : 70

Note : Attempt five questions in all. Question No.1 is compulsory and carries 30 marks. Attempt one question from each unit carrying 10 marks each.

- Write short notes on the following : $10 \times 3 = 30$
 - Any six characteristics of Indian Companies (Amendment) Act, 2013
 - Distinction between memorandums of Association and articles of Association
 - Essentials of Partnership
 - Partnership property
 - General offer
 - Acceptance by Telephone
 - Jurisdiction of National Commission under Consumer Protections Act, 1986
 - When is the Central Information Com-

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mission/State Information Commission duly bound to receive complaints from any Person?

- (i) Liability of Network service provider U/s 79 of the I.T.Act.
- (j) Dishonour of Negotiable Instruments due to men, payment.

Unit - I

- 2. Who is a banker and customer? Explain the general relationship between a banker and customer. 10
- 3. What do you understand by the discharge of an instrument? State the different modes of discharge of an instrument. 10

Unit - II

- 4. Manoj is a citizen of India and lives in Delhi with his family. He makes an application to the Public Information Officer (PIO) under the Right to Information Act, 2005 and completes all the formalities. The information sought relates to cabinet papers including the records of deliberations of the council of ministers. The PIO rejects the application. Has Manoj any right to go to the court or to the central information commission against the decision of the PIO? Give your answer specifying the categories of information that have been exempted from disclosure under the Right to information Act, 2005. 10

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- 5. Write short notes on any two of the following : 5+5

- (i) duties of subscriber
- (ii) various cyber offences under Information Technology Act, 2000
- (iii) Composition of the State Commission under consumer protection Act, 1986

Unit - III

- 6. Father Promised to pay his son a sum of Rs. 2 Lakh if the son passed MBA Examination in first division. The son passed the examination in the first division, but father failed to pay the amount as promised son files a suit for recovery of amount. Explaining the essentials and legal rules for valid offer state whether son can recover amount under the Contract Act. 10
- 7. "The Indian Partnership Act has effectively ensured the registration of firms making it compulsory." Discuss the advantages and implications of this provision. 10

Unit - IV

- 8. Explain the doctrine of indoor management as corollary of the doctrine of constructive notice. What are the exceptions to the doctrine of indoor management. 10
- 9. (a) Narayan had been in the leather business for many years and solvent. Later he decided to form a company, the members

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P.T.O.