

(SEM-IV) THEORY EXAMINATION 2018-19
LEGAL ASPECTS OF BUSINESS

Time: 3 Hours**Total Marks: 100****Note:** 1. Attempt all Sections. If require any missing data; then choose suitably.**SECTION A****1. Attempt all questions in brief.****2 x 10 = 20**

- a. Define the term 'misrepresentation'.
- b. Write a short note on "uncertain agreements."
- c. What is a continuing guarantee?
- d. Write a note on pledge by a mercantile agent.
- e. Define contract of agreement to sell.
- f. What is a sale by sample as well as sale by description?
- g. What is meant by crossing of a cheque?
- h. Who are parties to a bill of exchange?
- i. Define public company.
- j. Write a short note on 'Buyback of Shares' by a company.

SECTION B**2. Attempt any three of the following:****10x3=30**

- a. "Is the issue of a prospectus compulsory on the part of a company"? What are the consequences of a misstatement in the prospectus? Can the Directors avoid liability for a false statement in the prospectus? Discuss.
- b. What is a bill of exchange? What are its essential elements? How does it differ from a promissory note?
- c. Why is it important to know the exact time when the property in goods passes from a seller to buyer? Explain with examples the rules regarding the transfer of ownership of goods from seller to buyer.
- d. What are the rights and obligations of a finder of goods? What is the nature of the lien which finder of goods has over the goods?
- e. State briefly the various modes in which a contract may be discharged.

SECTION C**3. Attempt any one part of the following:****10x1 = 10**

- a. "Impossibility of performance is, as rule, not an excuse for non-performance of a contract." Discuss.
- b. Discuss in detail the provisions of law relating to minor's agreement.

4. Attempt any one part of the following:**10x1=10**

- a. State and explain the circumstances under which a surety is discharged from his liability.
- b. Define a bailment and briefly state the rights and duties of bailer and bailee.

5. Attempt any one part of the following:**10x1 = 10**

- a. Define unpaid seller. What are his rights under the sale of goods Act 1930?
- b. Explain briefly the implied conditions and implied warranties in a contract of sale goods.

6. Attempt any one part of the following:**10x1 = 10**

- a. Discuss the law relating to the protection granted to a paying banker with special reference to order and bearer cheque.
- b. Define 'Negotiable Instrument'. What are its essential characteristics? Define various kinds of Negotiable Instrument.

7. Attempt any one part of the following:**10x1 = 10**

- a. What do you mean by Corporate personality? Discuss various kinds of companies on the basis of liability of members.
- b. Describe the various clauses of memorandum of Association.