

BUSINESS LAW & BUSINESS CORRESPONDENCE & REPORTING

Question No. 1 is Compulsory. Answer any four question from the remaining five questions. Wherever necessary, suitable assumptions should be made and disclosed by way of note forming part of the answer.

Working Notes should form part of the answer.

Question 1:

- (a) X agrees to sell to Y "100 tons of oil."
State the legal position of this agreement in each of the following alternative cases:
Case (a) If X, who is a dealer in coconut oil only, decides to sell @ Rs. 10,000 per ton.
Case (b) If X is a dealer in coconut oil and price is to be fixed by Z.
Case (c) If X who is a dealer in coconut oil agrees to sell at Rs. 10,000 per ton or Rs. 11,000 per ton.
Case (d) If X is a dealer in coconut oil and mustard oil.
- (4 Marks)**
- (b) The Memorandum of Association of a company was presented to the Registrar of Companies for registration and the Registrar issued the certificate of incorporation. After complying with all the legal formalities a company started a business according to the object clause, which was clearly an illegal business. The company contends that the nature of the business cannot be gone into as the certificate of incorporation is conclusive. Answer the question whether company's contention is correct or not.?
- (4 Marks)**
- (c) For the purpose of making uniform for the employees, Mr. Yadav bought dark blue coloured cloth from Vivek, but did not disclose to the seller the purpose of said purchase. When uniforms were prepared and used by the employees, the cloth was found unfit. However, there was evidence that the cloth was fit for caps, boots and carriage lining. Advise Mr. Yadav whether he is entitled to have any remedy under the sale of Goods Act, 1930?
- (4 Marks)**

Question 2:

- (a) Give differences between LLP and limited liability company?
- (6 Marks)**
- (b) Referring to the provisions of the Sale of Goods Act, 1930, state the circumstances under which when goods are delivered to the buyer "on approval" or "on sale or return" or other similar terms, the property therein passes to the buyer.
Ms. Preeti owned a motor car which she handed over to Mr. Joshi on sale or return basis. After a week, Mr. Joshi pledged the motor car to Mr. Ganesh. Ms. Preeti now claims back the motor car from Mr. Ganesh. Will she succeed? Referring to the provisions of the Sale of Goods Act, 1930, decide and examine what recourse is available to Ms. Preeti.
- (6 Marks)**

Question 3:

- (a) Explain the rights of an outgoing partner?

(6 Marks)

- (b) X' entered into a contract with 'Y' to supply him 1,000 water bottles @ Rs. 5.00 per water bottle, to be delivered at a specified time. Thereafter, 'X' contracts with 'Z' for the purchase of 1,000 water bottles @ Rs. 4.50 per water bottle, and at the same time told 'Z' that he did so for the purpose of performing his contract entered into with 'Y'. 'Z' failed to perform his contract in due course and market price of each water bottle on that day was Rs. 5.25 per water bottle. Consequently, 'X' could not procure any water bottle and 'Y' rescinded the contract. What would be the amount of damages which 'X' could claim from 'Z' in the circumstances? What would be your answer if 'Z' had not informed about the 'Y's contract? Explain with reference to the provisions of the Indian Contract Act, 1872

(6 Marks)

Question 4:

- (a) When does the property passes in case of unascertained goods? What is appropriation of goods?

(6 Marks)

- (b) A & Co. is registered as a partnership firm in 2015 with A, B and C partners. In 2016, A dies. In 2017, B and C sue X in the name and on behalf of A & Co., without fresh registration. Now the first question for our consideration is whether the suit is maintainable. Now, in the above example, what difference would it make, if in 2017 B and C had taken a new partner, D, and then filed a suit against X without fresh registration?

(6 Marks)

Question 5

- (a) A shop-keeper displayed a pair of dress in the show-room and a price tag of Rs. 2,000 was attached to the dress. Ms. Lovely looked to the tag and rushed to the cash counter. Then she asked the shop-keeper to receive the payment and pack up the dress. The shop-keeper refused to hand-over the dress to Ms. Lovely in consideration of the price stated in the price tag attached to the Ms. Lovely seeks your advice whether she can sue the shop-keeper for the above cause under the Indian Contract Act, 1872.

(5 Marks)

- (b) What is meant by a Guarantee Company? State the similarities and dissimilarities between a Guarantee Company and a Company having Share Capital ?

(7 marks)

Question 6

- (a) Mr. Ramesh promised to pay Rs. 50,000 to his wife Mrs. Lali so that she can spend the sum on her 30th birthday. Mrs. Lali insisted her husband to make a written agreement if he really loved her. Mr. Ramesh made a written agreement and the agreement was registered under the law. Mr. Ramesh failed to pay the specified amount to his wife Mrs. Lali. Mrs. Lali wants to file a suit against Mr. Ramesh and recover the promised amount. Referring to the applicable provisions of the Contract Act, 1872, advise whether Mrs. Lali will succeed.

(5 Marks)

- (b) Explain the doctrine of Ultra Vires and State its implications (consequences)?

(7 Marks)

PAPER : BUSINESS CORRESPONDENCE & REPORTING

The Question Paper comprises of 5 questions of 10 marks each.
Question No. 7 is compulsory. Out of questions 8 to 11, attempt any three.

SECTION-B : BUSINESS CORRESPONDENCE & REPORTING (40 MARKS)**Question 7:****(a) Read the following comprehension passages and answer the following questions**

All languages are systematic and rule bound. Children across the world acquire their natural language in same manner. In this context, linguistics is not simply the study of foreign languages. It is the scientific, organized and systematic study of a language. Linguists examine and evaluate language on the basis of words, sentence, word order, pronunciation to discuss the internal language mechanism. Generally people understand that a linguist can speak many languages. However there is big difference between a linguist and a polyglot. India as a case in example has six distinct language families. It is estimated that approx. seventeen hundred languages are spoken in India only. Hindi is a rich language but does not still have a national language status in terms of official usage although it is official language for some states. English is official language for most other states.

Most countries have only one language besides Canada where French and English both are official languages. In the western world, countries are strongly associated with single languages and vice versa. Linguists see this due to the rise of nation states in the past few centuries where single languages attained official status in individual countries, English in the United Kingdom, French in France, Italian in Italy, etc. However beneficial the official status of one language may be for a modern country in terms of government, public discourse, higher education, etc., it is not helpful to other languages which may be found within the borders of a particular country. In many aspects language represents our identity and culture. Furthermore, even in countries where only one language is spoken, say Dutch in the Netherlands, there may well be different dialects of this language closely related to the national language. Even within Europe, and most certainly outside of it, the equation of one country with one language breaks down. Switzerland is a good example of a country where a single national identity exists across three major and one minor speech community: Swiss German, French, Italian and Rhaeto-Romance. Beyond Europe it is more the rule than the exception for countries to have several languages within their borders. One need only think of such countries as India and China or Siberian Russia to see how many languages can be integrated into a single state. In such instances, there is of course an official language which serves the function of a lingua franca, that is, a language which is used as a means of communication among those groups who do not speak each others language.

- 1. A linguist is one who-**
 - a- knows many languages
 - b- make a language
 - c- speak many languages
 - d- master in programming language
- 2. India as a linguistic area has-**
 - a- a single language
 - b- six languages
 - c- only one official language
 - d- many languages

3. Language represents-

- a- Population
- b- Identity
- c- Boundary
- d- civilization

4. Switzerland is famous for –

- a- Natural diversity
- b- Language identity
- c- Cultural identity
- d- National identity

5. Lingua franca means-

- a- Any language used for speech and writing between business purpose
- b- Language for business
- c- Any language used for communication between groups who have no other language in common.
- d- Any language used for communication between the particular speech community

(5 Marks)**(b) Select the suitable antonym for the given word:****1. Frivolous**

- a- Resolute
- b- Gleeful
- c- Fragile
- d- Advantageous

2. Prerogative

- a- Positive
- b- Embargo
- c- Invincible
- d- Grapple

(2 Marks)**(c) Describe various characteristics of effective communication?****(3 Marks)****Question 8:**

- (a)** Write a mail to Suraj Gupta responding to his query about the availability of cosmetics and toiletries in your manufacturing unit 'Shimmer and Shine'. You are Mr. Vishnu Verma, marketing head of the company. (word limit: 150-200 words)

(5 Marks)

- (b)** List at least 5 barriers of communication. Explain any two of them in your own words.

(3 Marks)**(c) Change the following Direct Speech into Indirect Speech:**

- (i) Ram said to him, 'I don't believe you.'
- (ii) 'Where do you live?' asked the stranger

(2 Marks)**Question 9:**

- (a)** Unemployment: A blot to Indian economy.

(5 Marks)

- (b) Differentiate between the Vertical Network and the Wheel and spoke method of communication.

(3 Marks)

- (c) **Change the following sentences into passive voice:**

- (i) Some students were helping the layman.
- (ii) Ram will finish the work by tomorrow.

(2 Marks)

Question 10:

- (a) Your company, is launching a new product. Prepare **minutes of the meeting** for the same. Members in the meeting: MD, Head of the Sales and Marketing, Product Head, Consultants and few team members.

(5 Marks)

- (b) **Select the suitable synonym for the given words:**

1. Inchoate

- a- Contextual
- b- Notified
- c- Rudimentary
- d- Disseminate

2. Hone

- a- Grind
- b- Jumble
- c- Heuristic
- d- Chroneme

3. Dilatory

- a- Using time
- b- Wasting time
- c- About to complete
- d- Proximity

(3 Marks)

- (c) **Select the suitable antonym for the given words:**

1. Turmoil

- a- Kindness
- b- Compliment
- c- Adjustor
- d- Serenity

2. Sane

- a- Ego
- b- Frantic
- c- Composer
- e- Gleaner

(2 Marks)

Question 11:

- (a) You bought a printer a few days back from a leading chain of electronic stores. Now you found a few defects in its working. Write a letter to the dealer complaining about the problem and requesting him to rectify the problem or replace the printer.

(5 Marks)

(b) Change the following to Active Voice:

- (1) The factory was destroyed by fire.
- (2) Cake is being eaten by Rajat.
- (3) A conservative lifestyle was led by women in olden days

(3 Marks)**(c) Select the correct meaning of the given idioms:****(1) Clouds on the horizon**

- (a) A ray of hope
- (b) Hopelessness
- (c) A problem can be seen in future
- (d) Problems are unlimited

(2) Well begun is half done

- (a) Good start is important
- (b) Good ending is important
- (c) Half job is easier
- (d) Easier said than done

(2 Marks)
