

**(GCF-7, GCF-12, GCF-13, GCF-14, GCF-15, GCF-16, GCF-17, SCF-3, VDCF-2 & VCF-3)****DATE: 17.09.2019****MAXIMUM MARKS: 100****TIMING: 3 Hours****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 offered to sell his house to Y for Rs. 50,000. Y accepted the offer by E-mail. On the next day Y sent a fax revoking the acceptance which reached X before the E-mail. Is the revocation of acceptance valid? Would it make any difference if both the E-mail of acceptance and the fax of revocation of acceptance reach X at the same time?  
**(4 Mark)**
- (b) ABC Pvt. Ltd., is a Private Company having five members only. All the members of the company were going by car to Mumbai in relation to some business. An accident took place and all of them died. Answer with reasons, under the Companies Act, 2013 whether existence of the company has also come to the end?  
**(4 Mark)**
- (c) X buys synthetic pearls for a high price thinking that they are natural pearls. The seller though understood X's intention, kept silent. Examine the remedies X has against the seller as per the Sale of Goods Act, 1930.  
**(4 Mark)**

**Question 2:**

- (a) What are the steps to incorporate LLP?  
**(6 Mark)**
- (b) Ram sells 200 bales of cloth to Shyam and sends 100 bales by lorry and 100 bales by Railway. Shyam receives delivery of 100 bales sent by lorry, but before he receives the delivery of the bales sent by railway, he becomes bankrupt. Ram being still unpaid, stops the goods in transit. The official receiver, on Shyam's insolvency claims the goods. Decide the case with reference to the provisions of the Sale of Goods Act, 1930.  
**(6 Mark)**

**Question 3:**

- (a) A, B, C are partners in a firm. As per terms of the partnership deed, A is entitled to 20 % of the partnership property and profits. A retires. From firm and dies after 15 days. B & C continue business of the firm without settling accounts. What are the rights of A's legal representatives against the firm under the Indian Partnership Act, 1932?  
**(4 Mark)**
- (b) Ram & Co., a firm consists of three partners A, B and C having one third share each in the firm. According to A and B, the activities of C are not in the interest of the partnership and thus want to expel C from the firm. Advise A and B whether they can do so quoting the relevant provisions of the Indian Partnership Act, 1932.  
**(6 Mark)**

- (c) Arun, Varun and Tarun started a Kirana business in Chennai on 1<sup>st</sup> January, 2012 for a period of five years. The business resulted in a loss of Rs. 20,000 in the first year, Rs. 25,000 in the second year and Rs. 35,000 in the third year, Varun and Tarun wish to dissolve the firm while Arun wants to continue the business. Advise Varun and tarun.?

**(2 Mark)**

**Question 4:**

- (a) Explain the rule of "Nemo dat quod non habet". Give its exceptions.

**(7 Mark)**

- (b) Mr. Ramaswamy of Chennai placed an order with Mr. Shah of Ahmedabad for supply of Urid Dal on 10.11.2006 at a contracted price of Rs. 40 per kg. The order was for the supply of 10 tonnes within a month's time viz. before 09.12.2006. On 04.12.2006 Mr. Shah wrote a letter to Mr. Ramaswamy stating that the price of Urid Dal was sky rocketing to Rs. 50 Per. Kg. and he would not be able to supply as per original contract. The price of Urid Dal rose to Rs. 53 on 09.12.06 Advise Mr. Ramaswamy citing the legal position.

**(5 Mark)**

**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) F, an assessee, was a wealthy man earning huge income by way of dividend and interest. He formed three Private Companies and agreed with each to hold a bloc of investment as an agent for them. The dividend and interest income received by the companies was handed back to F as a pretended loan. This way, F divided his income into three parts in a bid to reduce his tax liability. Decide, for what purpose the three companies were established? Whether the legal personality of all the three companies may be disregarded.

**(4 Mark)**

- (c) Z rent out his house situated at Mumbai to W for a rent of Rs. 10,000 per month. A sum of Rs. 5 lac, the house tax payable by Z to the Municipal Corporation being in arrears, his house is advertised for sale by the corporation. W pays the corporation, the sum due from Z to avoid legal consequences. Referring to the provisions of the Indian Contract Act, 1872 decide whether W is entitled to get the reimbursement of the said amount from Z.

**(3 Mark)**

**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 Doctrine of Indoor Management and also give its exception?

**(7 Mark)**

**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 passage carefully and answer the questions that follow:

A sanctuary may be defined as a place where Man is passive and the rest of Nature active. Till quite recently Nature had her own sanctuaries, where man either did not go at all or went only as a tool-using animal in comparatively small numbers. But now, in this machine age, there is no place left where man cannot go with overwhelming forces at his command. He can strangle to death all the nobler wild life in the world to-day. Tomorrow he certainly will have done so, unless he exercises due foresight and self-control in the mean time.

There is not the slightest doubt that birds and mammals are now being killed off much faster than they can breed. And it is always the largest and noblest forms of life that suffer most. The whales and elephants, lions and eagles, go. The rats and flies, and all mean parasites, remain. This is inevitable in certain cases. But it is wanton killing off that is of concern. Civilized man begins by destroying the very forms of wild life he learns to appreciate most when he becomes still more civilized. The obvious remedy is to begin conservation at an earlier stage, when it is easier and better in every way, by enforcing laws for close seasons, game preserves, the selective protection of certain species, and sanctuaries.

I have just defined a sanctuary as a place where man is passive and the rest of Nature active. But this general definition is too absolute for any special case. The mere fact that man has to protect a sanctuary does away with his purely passive attitude. Then, he can be beneficially active by destroying pests and parasites, like bot-flies or mosquitoes, and by finding antidotes for diseases like the epidemic which periodically kills off the rabbits and thus starves many of the carnivores to death. But, except in cases where experiment has proved his intervention to be beneficial, the less he upsets the balance of Nature the better, even when he tries to be an earthly Providence.

1. What can man do to avoid killing all wild life in the future?

- (a) Experiment more
- (b) Have a foresight
- (c) Maintain self control
- (d) Both a and b

**(1 Mark)**

2. What according to the author is a sanctuary?

- (a) A place where Man is active and so is Nature
- (b) A place where Man is passive and so is Nature
- (c) A place where Man is passive but Nature is active
- (d) A place where Man and Nature do not co exist.

**(1 Mark)**

3. What according to the author can lead to the death of carnivores?  
(a) Finding antidotes for epidemics, which might kill animal that are food for carnivores  
(b) Conservation at a later stage  
(c) Carnivores can die anytime.  
(d) Man is egoistic and wants to be powerful than carnivores. **(1 Mark)**
4. Find the word in the passage that means 'unprovoked' or 'deliberate'  
(a) Beneficially  
(b) Wanton  
(c) Inevitable  
(d) Providence **(1 Mark)**
5. What does the author mean by the phrase 'earthly Providence' in the last line of the passage?  
(a) The Earth is God.  
(b) Man is inferior to God.  
(c) God will not take care of the Earth  
(d) Man wants to be like God on Earth. **(1 Mark)**
- (b)** What is visual communication? **(1 Mark)**
- (c)** (i) Choose the word which best expresses the meaning of the given word.  
Contingency  
(a) Existence  
(b) Evidence  
(c) Rebel  
(d) Emergency **(1 Mark)**
- (ii) Select a suitable antonym for the word given in question.  
Proximity  
(a) Approximation  
(b) Assumingly  
(c) Remoteness  
(d) Cure **(1 Mark)**
- (iii) Change the following sentences into passive voice.  
Who wrote this essay? **(1 Mark)**
- (iv) Change the following sentences to indirect speech.  
Sheila said, 'How smart Seema is' **(1 Mark)**
- Question 8:**
- (a)** Draft a Memo informing the staff about the dismissal of the Sales Head on being proved guilty of charges of misappropriation of funds/accounts. **(5 Marks)**
- (b)** What is network in communication. **(1 Mark)**
- (c)** (i) Choose the word which best expresses the meaning of the given word.  
Inherent

- (a) Intrinsic
- (b) Inevitable
- (c) Innovation
- (d) Intent

**(1 Mark)**

- (ii) Choose the appropriate antonym (opposite) for the word Serene

- (a) Valley
- (b) Young
- (c) Unrest
- (d) Harmless

**(1 Mark)**

- (iii) Change the following sentences into passive voice  
Rajesh uses a pen to sketch figures.

**(1 Mark)**

- (iv) Change the following sentence to indirect speech.  
Elders always say, 'If you work hard, you will succeed.'

**(1 Mark)****Question 9:**

- (a) Write an Article of about 250-300 words on the topic "What is more important— Physical fitness or Mental fitness?"

**(5 Marks)**

- (b) Explain briefly the characteristics of effective communication.

**(2 Marks)**

- (c) (i) Select the suitable antonym for the given word:

Vigilant

- (a) Careful
- (b) Curious
- (c) Concerned
- (d) Inattentive

**(1 Mark)**

- (ii) Rewrite the following sentences in active voice  
Work could be done by us only by next week.

**(1 Mark)**

- (iii) Change the following sentence into Indirect speech.  
Teacher said, 'Please use a blue pen for your homework'

**(1 Mark)****Question 10:**

- (a) Write a précis and give appropriate title to the passage given below.

After years of questioning the potential health hazards of second hand cigarette smoke, a growing number of scientists and health officials are becoming persuaded that the dangers are real, broader than once believed and parallel those of direct smoke.

It has long been established that smoking harms the health of those who do the smoking. Now new epidemiological studies and reviews are strengthening the evidence that it also harms the health of other people nearby who inhale the toxic fumes generated by the smoker, particularly from the burning end of the cigarette. Such indirect, or second hand, smoking causes death not only by lung cancer, but even more by heart attack, the studies show. The studies on passive smoking, as it is often called, also strengthen the link between parental smoking and respiratory damage in children.

What has swayed many scientists is a remarkable consistency in findings from different types of studies in several countries with improved methods over those used in the first such studies a few years ago. The new findings confirm and advance

two landmark reports in 1986 from the Surgeon General, who concluded that passive smoking caused lung cancer, and from the National Research Council, which said passive smoking is associated with lung cancer.

"The links between passive smoking and health problems are now as solid as any finding in epidemiology," said, an expert in the epidemiology of smoking at the University of California at San Diego.

**(5 Marks)**

**(b)** What do you mean by completeness in effective communication?

**(1 Mark)**

**(c)** (i) Choose the word which best expresses the meaning of the given word.

Embezzle

- (a) Shine
- (b) Steal
- (c) Busy
- (d) Shocked

**(1 Mark)**

(ii) Select a suitable antonym for the word given in question.

Applaud

- (a) Organize
- (b) Compose
- (c) About
- (d) Condemn

**(1 Mark)**

(iii) Change the following sentences into passive voice.

You should write an apology letter.

**(1 Mark)**

(iv) Change the following sentences to indirect speech.

Uncle said, 'I am unwell'

**(1 Mark)**

**Question 11:**

**(a)** As the Manager, HR of Net Solutions Ltd, Mumbai, draft a complaint letter to the Administration Head of Food for you Solutions, Mumbai, stating your concern about the bad quality of food being supplied to your company's cafeteria.

**(5 Marks)**

**(b)** What is non verbal communication. Explain its types.

**(2 Marks)**

**(c)** (i) Select the suitable antonym for the given word:

Concealed

- (a) To hide
- (b) Uninteresting
- (c) Known
- (d) Related

**(1 Mark)**

(ii) Rewrite the following sentences in active voice

A conservative lifestyle was led by women in olden days.

**(1 Mark)**

(iii) Change the following sentence into Indirect speech.

The girl asked, 'Where do you live'?

**(1 Mark)**

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