

(GCF-1, GCF-2, GCF-4, GCF-5+8, GCF-6+9, GCF-10, GCF-11, VCF-1, VCF-2, SCF-1 & VDCF-1)  
DATE: 16.10.2019 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) 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.

**(2 Marks)**

- (b) The Articles of Association of a Limited Company provided that 'X' shall be the Law Officer of the company and he shall not be removed except on the ground of proved misconduct. The company removed him even though he was not guilty of misconduct. Decide, whether company's action is valid?

**(5 Marks)**

- (c) 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.

**(5 Marks)**

**Question 2:**

- (a) What are the steps to incorporate LLP.

**(6 Marks)**

- (b) Mr. D sold some goods to Mr. E for Rs. 5,00,000 on 15 days credit. Mr. D delivered the goods. On due date Mr. E refused to pay for it. State the position and rights of Mr. D as per the Sale of Goods Act, 1930.

**(6 Marks)**

**Question 3:**

- (a) Give position of minor admitted to benefits of partnership?

**(6 Marks)**

- (b) 'X' agreed to become an assistant for 2 years to 'Y' who was practicing Chartered Accountant at Jodhpur. It was also agreed that during the term of agreement 'X' will not practice as a Chartered Accountant on his own account within 20 kms of the office of 'Y' at Jodhpur. At the end of one year, 'X' left the assistantship of 'Y' and started practice on his own account within the said area of 20 kms.

**(3 Marks)**

- (c) Dubious textile enters into a contract with Retail Garments Show Room for supply of 1,000 pieces of Cotton Shirts at Rs. 300 per shirt to be supplied on or before 31<sup>st</sup> December, 2004. However, on 1<sup>st</sup> November, 2004 Dubious Textiles informs the Retail Garments Show Room that he is not willing to supply the goods as the price of Cotton shirts in the meantime has gone upto Rs. 350 per shirt. Examine the rights of the Retail Garments Show Room in this regard.

**(3 Marks)**

**Question 4:**

- (a) Explain the circumstance when right of stoppage of transit comes to an end?

**(6 Marks)**

- (b) Akash, Ashish and Anil were partners in a firm. By his willful neglect and misconduct Anil caused serious loss to the business of the firm. After several warnings to Anil, Akash and Ashish passed a resolution expelling Anil from the firm. By another resolution they admitted Abhishek as a partner in place of Anil. Anil objects to this expulsion as also to the admission of Abhishek. Is he justified in his objections?

**(6 Marks)**

**Question 5:**

- (a) Mr. Balwant, an old man, by a registered deed of gift, granted certain landed property to Ms. Reema, his daughter. By the terms of the deed, it was stipulated that an annuity of Rs. 20,000 should be paid every year to Mr. Sawant, who was the brother of Mr. Balwant.  
On the same day Ms. Reema made a promise to Mr. Sawant and executed in his favour an agreement to give effect to the stipulation. Ms. Reema failed to pay the stipulated sum. In an action against her by Mr. Sawant, she contended that since Mr. Sawant had not furnished any consideration, he has no right of action. Examining the provisions of the Indian Contract Act, 1872, decide, whether the contention of Ms. Reema is valid?

**(5 Marks)**

- (b) Explain Corporate veil theory and when this corporate veil can be lifted.

**(7 Marks)**

**Question 6:**

- (a) A received certain goods from B promising to pay Rs. 10,000/-. Later on, A expressed his inability to make payment. C, who is known to A, pays Rs., 6000/- to B on behalf of A. However, A was not aware of the payment. Now B is intending to sue A for the amount of Rs. 10000/-. Can B do so? Advise.

**(4 Marks)**

- (b) M owes money to N under a contract. It is agreed between M, N and O that N shall henceforth accept O as his debtor instead of M. Referring to the provisions of the Indian Contract Act, 1872, state whether N can claim payment from O?

**(3 Marks)**

- (c) 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.

**(5 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 passage carefully and answer the questions that follow:  
'The difference between technology and slavery is the slaves are fully aware that they are not free' Nassim Nicholas Taleb  
How is technology impacting our lives? Many research studies are seeking answers to this question and coming up with data and information that is worrisome. As the human race increasingly depends on devices for work and leisure, technology invades every aspect of our lives. We have appliances in our kitchens and homes, machines and computers in offices, and of course, and innumerable gadgets without which people feel lost and incomplete.  
In fact, we now try to measure every aspect of our lives with gadgets and gizmos available in the market. These health devices can track routine activities like sleep, exercise, diet, heartbeat, breathing rate, steps taken, water intake and every conceivable aspect of life. Health and fitness is measured by a smart watch, fitness band and other wearable apps available in the market. Though many of these apps are truly useful to measure health parameters like blood pressure, heart rate, etcetera for the ailing; they have begun to dominate the lives of people for whom it becomes their personal health information guru. If the health parameters do not match the desired outcome of the application they are using, it causes anxiety and stress. Many health freaks end up with obsessive compulsive disorders.  
Several psychiatrists disapprove of our dependence on gadgets to assess our health. They refer to it as the over monitoring syndrome. Instead of listening to our own bodies, which are best judges of our physical and mental health, we look at the numbers on the gadget to tell us whether we had a good workout or sufficient and restful sleep at night. Since every human being is different, can an app accurately match and measure the parameters of each individual using it? Another downside is that instead of enjoying the simple health benefits and pleasure of a sport/ workout, the completion of the target becomes the focal point of the exercise.  
The advice given by medical practitioners is that a healthy life is judged by your physical, mental and social wellbeing and not machines of any kind. So use gadgets judiciously and do not let them dictate your life.
1. Health devices are useful for
    - (a) checking our moods.
    - (b) keeping fit and happy.
    - (c) keeping a track of everyday activities like exercise, sleep etc.
    - (d) monitoring work and leisure activities.

2. Medical practitioners' advice is that we should measure health by
  - (a) physical fitness
  - (b) mental fitness
  - (c) social wellbeing
  - (d) all of the above.
3. The drawbacks of health devices are
  - (a) they are too bulky.
  - (b) they are very costly.
  - (c) they cause pressure and anxiety in users.
  - (d) they are a cause of too much distraction.
4. We should assess our health by
  - (a) using health gadgets which measure all our parameters.
  - (b) talking to a doctor.
  - (c) listening to our own body.
  - (d) asking family and health experts.
5. Find words in the passage which are similar in meaning to the ones given below
  - (a) Dimensions
  - (b) Supervising or overseeing

**(5 Marks)**

- (b)** Explain difference between vertical Network and circuit Network

**(3 Marks)**

- (c)** Identify the idiom in the given sentences and determine the meaning from the context.

1. Tara jumped on the bandwagon and got her ear pierced after all of her classmates pierced their ears.
2. Tommy's mother didn't even lecture him after he came home late again; it was like beating a dead horse.

**(2 Marks)**

**Question 8:**

- (a)** Write an article of about 250 words on the topic "The Fearless Indian Army":

**(5 Marks)**

- (b)** Explain concrete and coherent as the characteristics of effective communication.

**(3 Marks)**

- (c)** Fill in the blanks with the most suitable option.

- (1) The music played in the function was\_\_\_\_\_lots of people were complaining about it.
  - (a) Melodious
  - (b) Destructive
  - (c) Confusing
  - (d) Boisterous
- (2) The rich businessman has donated a\_\_\_\_\_amount from his savings.
  - (a) Colossal
  - (b) Agrarian
  - (c) Ultimate
  - (d) Cowardly

**(2 Marks)**

**Question 9:**

- (a) Write a precis and give appropriate title to the 'passage given below:  
India has witnessed great expansion of educational opportunities since the attainment of independence. However, the disabled children have not yet benefited in any substantial manner from the growth in educational facilities.  
Education of handicapped children, ultimately become more dependent and non productive. It is therefore believed that scarce national resources should not be wasted on them. Further, it has been our misconceived notion that the education of handicapped children requires highly specialized people and as such, it must essentially be very costly. Maybe, precisely for these wrong notions we have not been able to involve clinical and educational specialization programmers of training and education exclusively 'meant 'for handicapped children. It is encouraging to note that the new National Policy on Education has recommended the placement of such children in Regular schools so as to provide them integrated education along with normal students. The integrated education will take care of the different needs of various categories and types of disabled children. The objective is to place the disabled children in ordinary schools for imparting education in the help of special teachers, aids and other resources. For fulfilling this objective an array, of the necessary infrastructure by way of training of teachers, provision of equipment and book etc. are some of the basic pre-requisition. Hopefully, the parents and their handicapped children will be greatly relieved when the latter are transferred to regular schools.
- (5 Marks)**
- (b) Explain Emotional Awareness and control as characteristics of effective communication.
- (3 Marks)**
- (c) Change the following sentences to indirect speech.  
(a) The clerk asked his manager, "Shall I email this letter again, Sir?"  
(b) She said to me, "How have you done this sum?"
- (2 Marks)**

**Question 10:**

- (a) Write A memo letter informing the office Manager about the purchase of office furniture.
- (5 Marks)**
- (b) Explain cultural barriers as a barrier in communication.
- (3 Marks)**
- (c) Rewrite the following sentences in passive voice.  
(a) The Corporation's sales and Service organization covers the country.  
(b) FCS are only marketing their new dental equipment in Europe.
- (2 Marks)**

**Question 11:**

- (a) Mr. Mohit Agarwal, a resident of Meerut, have recently come across an advertisement, for a job vacancy in a leading TV Channel for the post of journalist, in The Times of India dated August 1, 2018.  
Draft a Resume
- (5 Marks)**

- (b)** Explain Attitude barriers as barriers in communication.

**(3 Marks)**

- (c)** Rewrite the following sentences in the active voice.

- (a) The man who saved the child from the burning house was being cheered by the crowd of onlookers.  
(b) Seven movie goers were booked in city for disrespecting national anthem.

**(2 Marks)**

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