

**(GCF-19, GCF-20, VCF-4, SCF-6 & SCF-7)****DATE: 05.02.2020****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) Marie Curie was one of the most accomplished scientists in history. Together with her husband, Pierre, she discovered radium, an element widely used for treating cancer, and studied uranium and other radioactive substances. Pierre and Marie's amicable collaboration later helped to unlock the secrets of the atom. Marie was born in 1867 in Warsaw, Poland, where her father was a professor of physics. At an early age, she displayed a brilliant mind and a blithe personality. Her great exuberance for learning prompted her to continue with her studies after high school. She became disgruntled, however, when she learned that the university in Warsaw was closed to women. Determined to receive a higher education, she defiantly left Poland and in 1891 entered the Sorbonne, a French university, where she earned her master's degree and doctorate in physics. Marie was fortunate to have studied at the Sorbonne with some of the greatest scientists of her day, one of whom was Pierre Curie. Marie and Pierre were married in 1895 and spent many productive years working together in the physics laboratory. A short time after they discovered radium, Pierre was killed by a horse-drawn wagon in 1906. Marie was stunned by this horrible misfortune and endured heartbreaking anguish. Despondently she recalled their close relationship and the joy that they had shared in scientific research. The fact that she had two young daughters to raise by herself greatly increased her distress. Curie's feeling of desolation finally began to fade when she was asked to succeed her husband as a physics professor at the Sorbonne. She was the first woman to be given a professorship at the world-famous university. In 1911 she received the Nobel Prize in chemistry for isolating radium. Although Marie Curie eventually suffered a fatal illness from her long exposure to radium, she never became disillusioned about her work. Regardless of the consequences, she had dedicated herself to science and to revealing the mysteries of the physical world. (Source: internet)
- (1) A word in the passage which is a synonym of 'friendly' is:
- (a) revealing
  - (b) distress
  - (c) amicable
  - (d) stunned
- (2) What increased the distress of Marie Curie?
- (a) The sudden death of her husband.
  - (b) She would have to raise her daughters all alone

- (c) She could not continue with her radium discovery
- (d) The knowledge of her fatal illness.
- (3) Which of the following statements is false according to the passage?
  - (a) Marie Curie did not attend any University because women were not allowed to do so.
  - (b) Pierre was killed in accident involving horse wagons.
  - (c) Curie also worked on the element Uranium.
  - (d) Curie got a chance to teach Physics at Sorbonne.
- (4) Give the passage a suitable title
  - (a) Madam Curie and Pierre Curie
  - (b) Discovery of Radium and Uranium
  - (c) Mysteries of the physical world
  - (d) Madam Curie: struggles turn to achievements!
- (5) Choose an option than describes Madam Curie, based on the information given in the passage:
  - (a) heartbroken, coward, weak
  - (b) bold, dedicated, confident
  - (c) complaining, disgruntled, arrogant
  - (d) despondent, tired, ruthless

**(5 Marks)**

- (b)** Read the following passage/news story and make proper notes following the guidelines of Note making. (Source: internet, newspaper articles)

- (1) The decision of the Ministry of Environment and Forests to revalidate the environmental clearance issued to South Korean steelmaker Posco for the proposed steel plant in Odisha is based on a piecemeal approach, rather than a comprehensive and cumulative assessment of all parts of the project. It cannot claim to rely on sound judgment. What distinguishes the proposal from the welter of projects before the Ministry is its major Foreign Direct Investment potential, estimated at more than Rs. 50,000 crore. There is little doubt that it will take massive investments to pull the masses out of deep poverty, and new industries are vital to achieving this goal. Significant expansion of the economy has taken place over the past two decades, creating much wealth. Unfortunately, this has also coincided with grossly uneven distribution of negative externalities. In the case of Posco, the acquisition of land has been a contentious issue, evoking strong protest from local communities which remain unconvinced about the benefits. Evidently, neither the project proponent nor the Odisha government has come up with persuasive arguments over the past eight years on why villagers should part with their land when their livelihood is linked to it. Moreover, there is no effort to reach a consensus on the renewal of environmental clearance, now for a production capacity of eight million tonnes per annum, even with conditionalities that include spending on 'social commitments' by Posco.

**(5 Marks)**

**Question 8:**

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

**(3 Marks)**

- 8 (b): (i)** Change the following Direct speech into Indirect speech:  
The athlete said, 'I can break old records'

**(1 Mark)**

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

Distort

- (a) Save
- (b) Abundant
- (c) Deform
- (d) Overwhelm
- (e) Move

**(1 Mark)**

**(c)** Précis Writing

Read the following passages and write a précis for the same. Follow the basic rules of précis writing while writing.

- (1) How does television affect our lives. It can be very helpful to people who carefully choose the shows that they watch. Television can increase our knowledge of the outside world, there are high quality programmes that helps us to understand many fields of study, science, medicine, the arts and so on. Moreover, television benefits very old people, who can't often leave the house as well as patients in hospitals. It also offers non native speakers the advantage of daily informal language practice. They can increase their vocabulary and practice listening.

On the other hand, there are several serious disadvantages of television. Of course, it provides us with a pleasant way to relax and spend our free time, but in some countries, people watch the 'blood tube' for an average of six hours or more a day. Many children stare at a television screen for more hours each day than they do anything else including studying & sleeping. It's clear that the tube has a powerful influence on their lives and that its influence is often negative.

**(5 Marks)**

**Question 9:**

**(a)** Differentiate between the Vertical Network and the Wheel and spoke method of communication.

**(2 Marks)**

**9(b): (i)** Select the correct meaning of the given idioms:

Clouds on the horizon

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

**(1 Mark)**

**9 (b): (ii)** Change the following to Active voice:

Results had to be declared by the school authorities.

**(1 Mark)**

**9 (b): (iii)** Select the suitable antonym for the given word:

Contend

- (a) Compete
- (b) Eradicate
- (c) Expel
- (d) Give up

**(1 Mark)**

- (c) As the HR Manager of your organization, draft a circular for all the employees of your company, informing them about New Year party being organized over the weekend in the office campus. Mention a few events and request for active participation.

**(5 Marks)**

**Question 10:**

- (a) Define the term 'communication'. How is it relevant in daily life?

**(2 Marks)**

- (b) Fill in the blanks with the most suitable choice:

- (i) With the economy going down, people who are rich might become \_\_\_\_\_  
(a) Endemic  
(b) Healthy  
(c) Destitute  
(d) Considerable
- (ii) Religion teaches us to respect all \_\_\_\_\_ rights of a human being.  
(a) Business  
(b) Fundamental  
(c) Behavioural  
(d) Conceptual
- (iii) She is of lizards.  
(a) Afraid  
(b) Frightened  
(c) Fearful  
(d) Terrified

**(3 Marks)**

- (c) Draft a resume for Ms Seema Solanki, a resident of Mumbai, a qualified CA with an experience of over 15 years in two organizations. Seema now plans to switch her job and is applying to one of the Big fours.

**(5 Marks)**

**Question 11:**

- (a) What is the 'chain of command' in communication? What are its drawbacks?

**(3 Marks)**

- (b) Change the following sentences into passive voice:

- (i) Rana Pratap fought many battles.  
(ii) Change the following sentences into passive voice.  
People watch football matches late night.

**(2 Marks)**

- (c) 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)**

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