

(GCF-1,2,3,4,5+6,19,20,21,22,23, VDCF-1 & 2, VCF-1,2 & 4, SCF-1,2,6,7 & 8, Nov.-20 PD & GD, Foundation Nov.-19 Rep.)
DATE: 08.10.2020 **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) Mr. Anil formed a One Person Company (OPC) on 16th April, 2018 for manufacturing electric cars. The turnover of the OPC for the financial year ended 31st March, 2019 was about Rs. 2.25 Crores. His friend Sunil wanted to invest in his OPC, so they decided to convert it voluntarily into a private limited company. Can Anil do so?
(4 Marks)
- (b) 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.
(4 Marks)
- (c) Give difference between Dissolution of Firms Dissolution of Partnership?
(4 Marks)

Question 2:

- (a) Explain the provisions related to winding up and dissolution of LLP?
(6 Marks)
- (b) What is meant by a Guarantee Company? State the similarities and dissimilarities between a Guarantee Company and a Company having Share Capital.
(6 Marks)

Question 3:

- (a) 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)
- (b) Master X was introduced to the benefits of partnership of M/s ABC & Co. with the consent of all partners. After attaining majority, more than six months elapsed and he failed to give a public notice as to whether he elected to become or not to become a partner in the firm. Later on, Mr. L, a supplier of material to M/s ABC & Co., filed a suit against M/s ABC & Co. for recovery of the debt due.
In the light of the Indian Partnership Act, 1932, explain:

- (i) To what extent X will be liable if he failed to give public notice after attaining majority?
- (ii) Can Mr. L recover his debt from X?

(6 Marks)

Question 4:

- (a)** Explain the law relating to liability of joint promisors in a contract. 'D', 'E' and 'F' who are partners in a firm, jointly promised to pay Rs. 1,50,000/- to 'A'. Later-on, 'F' became insolvent and his private assets are sufficient to pay only 1/5th of his share of debt. 'A' recovers the whole amount from 'D' through a legal action. Decide, under the provisions of the Indian Contract Act, 1872 the extent to which 'D' can recover the amount from 'E'.

(6 Marks)

- (b)** P sells by auction to Q a horse which P knows to be unsound. The horse appears to be sound but P knows about the unsoundness of the horse. Is this contract valid in the following circumstances:

- (a) If P says nothing about the unsoundness of the horse to Q.
- (b) If P says nothing about it to Q who is P's daughter who has just come of age.
- (c) If Q says to P "If you do not deny it, I shall assume that the horse is sound." P says nothing.

(6 Marks)

Question 5:

- (a)** 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 led a suit against X without fresh registration?

(6 Marks)

- (b)** When condition to be treated as warranty?

(4 Marks)

- (c)** State with reason whether there is any contract made in the following case as per the Indian Contract Act, 1872:

"J puts three one rupee coins in the slot of a platform ticket vending machine at the Railway Station"

(2 Marks)

Question 6:

- (a)** Ravi Private Limited has borrowed Rs. 5 crores from Mudra Finance Ltd. This debt is ultra vires to the company. Examine, whether the company is liable to pay this debt? State the remedy if any available to Mudra Finance Ltd.?

(5 Marks)

- (b)** Explain the doctrine of Caveat Emptor. Give its exceptions also?

(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 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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