

(GCF-2, GCF-3, GCF-3A, GCF-5, GCF-6, GCF-7, GCF-8, GCF-9, GCF-10, GCF-11, GCF-12, GCF-13, VCF-VDCF-1, VCF-VDCF-2)  
DATE: 08.11.2022 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 from part of the answer.**

**Question 1:**

- (a) Mr. B makes a proposal to Mr. S by post to sell his house for Rs. 10 lakhs and posted the letter on 10th April 2020 and the letter reaches to Mr. S on 12th April 2020. He reads the letter on 13th April 2020.  
Mr. S sends his letter of acceptance on 16th April 2020 and the letter reaches Mr. B on 20th April 2020. On 17th April Mr. S changed his mind and sends a telegram withdrawing his acceptance. Telegram reaches to Mr. B on 19th April 2020.  
Examine with reference to the Indian Contract Act, 1872:  
(i) On which date, the offer made by Mr. B will complete?  
(ii) Discuss the validity of acceptance.  
(iii) What would be validity of acceptance if letter of revocation and letter of acceptance reached together?

**(4 Marks)**

- (b) Mr. Pratham applied for a job as principal of a school. The school management decided to appoint him. One member of the school management committee privately informed Mr. Pratham that he was appointed but official communication was not given from the school. Later, the management of the school decided to appoint someone else as a principal. Mr. Pratham filed a suit against the school for cancellation of his appointment and claimed damages for loss of salary. State with reasons, will Mr. Pratham be successful in suit filed against school under the Indian Contract Act, 1872?

**(4 marks)**

- (c) SK Infrastructure Limited has a paid-up share capital divided into 6,00,000 equity shares of INR 100 each. 2,00,000 equity shares of the company are held by Central Government and 1,20,000 equity shares are held by Government of Maharashtra. Explain with reference to relevant provisions of the Companies Act, 2013, whether SK Infrastructure Limited can be treated as Government Company.

**(4 Marks)**

**Question 2:**

- (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) Sound Syndicate Ltd., a public company, its articles of association empowers the managing agents to borrow both short and long term loans on behalf of the company, Mr. Liddle, the director of the company, approached Easy Finance Ltd., a non banking finance company for a loan of Rs. 25,00,000 in name of the company. The Lender agreed and provided the above said loan. Later on, Sound Syndicate Ltd. refused to repay the money borrowed on the pretext that no resolution authorizing such loan have been actually passed by the company and the lender should have enquired about the same prior providing such loan hence company not liable to pay such loan.

Analyse the above situation in terms of the provisions of Doctrine of Indoor Management under the Companies Act, 2013 and examine whether the contention of Sound Syndicate Ltd. 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 3:**

- (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)**

**Question 4:**

- (a) Give differences between LLP and limited liability company?

**(5 Marks)**

- (b) M/s Woodworth & Associates, a firm dealing with the wholesale and retail buying and selling of various kinds of wooden logs, customized as per the requirement of the customers. They dealt with Rose wood, Mango wood, Teak wood, Burma wood etc. Mr. Das, a customer came to the shop and asked for wooden logs measuring 4 inches broad and 8 feet long as required by the carpenter. Mr. Das specifically mentioned that he required the wood which would be best suited for the purpose of making wooden doors and window frames. The Shop owner agreed and arranged the wooden pieces cut into as per the buyers requirements.

The carpenter visited Mr. Das's house next day, and he found that the seller has supplied Mango Tree wood which would most unsuitable for the purpose. The carpenter asked Mr. Das to return the wooden logs as it would not meet his requirements.

The Shop owner refused to return the wooden logs on the plea that logs were cut to specific requirements of Mr. Das and hence could not be resold.

- (i) Explain the duty of the buyer as well as the seller according to the doctrine of "Caveat Emptor".
- (ii) Whether Mr. Das would be able to get the money back or the right kind of wood as required serving his purpose?

**(7 Marks)**

**Question 5:**

- (a)** 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)**

- (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 6:**

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

**(6 Marks)**

- (b)** Mr. X and Mr. Y entered into a contract on 1st August, 2018, by which Mr. X had to supply 50 tons of sugar to Mr. Y at a certain price strictly within a period of 10 days of the contract. Mr. Y also paid an amount of Rs. 50,000 towards advance as per the terms of the above contract. The mode of transportation available between their places is roadway only. Severe flood came on 2nd August, 2018 and the only road connecting their places was damaged and could not be repaired within fifteen days. Mr. X offered to supply sugar on 20th August, 2018 for which Mr. Y did not agree. On 1st September, 2018, Mr. X claimed compensation of Rs. 10,000 from Mr. Y for refusing to accept the supply of sugar, which was not there within the purview of the contract. On the other hand, Mr. Y claimed for refund of Rs. 50,000 which he had paid as advance in terms of the contract. Analyse the above situation in terms of the provisions of the Indian Contract Act, 1872 and decide on Y's contention.

**(6 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 given below:**

Success of any organization depends on offering quality products at competitive prices. All over the world, it is being realized that quality control be ensured through inspection and test alone. Every department and individual has a contribution to make in the achievement of quality. Quality product at competitive prices is the most significant factor in determining the long - run success of any organization. High quality of products can give a competitive edge to an organization. On the other hand, good quality generates satisfied customers who reward the organization with continued patronage and favourable word of mouth advertising.

Growth in consumer quality awareness has put a greater strain on businesses. Consumer demand and dynamic technological changes have opened up new and highly competitive markets. The quality of goods and services can no longer be taken for granted.

The rapid growth of the service sector has also introduced new perceptions of quality management. Institutions, such as the Government, banks and hospitals do not produce tangible goods. The interaction between employees and customers is much more critical in such organizations. As a result, the skills, attitudes and training of service personnel affect the quality of the services delivered. Information processing represents a large component of the work done by service organizations and poses special quality considerations. Errors in computer billing, or airline and hotel reservations are the results of poor quality control of computer software and data input systems.

In View of globalization of markets, Governments have begun to realize that quality is essential to international trade and the national economy. Therefore, public purchasing authorities have been instructed to buy goods that conform to the quality standards.

- (i) In what manner good quality products give rewards to organizations?  
**(1 Mark)**
- (ii) Most significant factor which determines the long run success of an organization?  
**(1 Mark)**
- (iii) Quality of goods and services cannot be compromised by organizations, give reasons.  
**(1 Mark)**
- (iv) Write the summary of the above passage.  
**(2 Mark)**

**(b) Read the Passage :**

Whether one runs a large business, or is starting out with a new venture, or works as a corporate professional, chances are that at some point, one would be required to make a business presentation. Whether you are selling a product to a client, sharing your vision with your employees, or looking for new investors for your business, your presentation will always matter.

Making a good business presentation can be intimidating - you want to capture as much information as possible to answer any prospective questions from your audience, yet you want to keep your audience constantly engaged and interested. So, what makes a good presentation?

It is important to connect with your audience with a story. And no, it doesn't mean your presentation needs to be the most exciting work of fiction. Take your audience on a journey. When trying to convince potential investors, make them see the success you are striving for and what it will do for you and for them. To win over your employees with your new staff policy, take them through the journey of why you are introducing a new policy and how does it benefit them. Tell personal stories, give analogies and cite examples. Get your audience emotionally involved and you will be more likely to get them to side with you.

You want to keep your audience engaged at all times. Do not overwhelm them with a lot of information. Settle on three to five key messages that you want them to absorb and stick with them. You do not want to include everything. Instead, choose out powerful points that you want to make. It is important to keep your presentation as straightforward and concise as possible.

At the same time, you need to know your content extremely well. While you keep your presentation short and to the point, it is no excuse for you to not have more detailed information regarding the subject of your presentation. It is likely you would need to answer questions from your audience at the end of the presentation. You must review all pertinent information and key facts and figures before your presentation. Not only will it help you answer questions later, but it will also give you more confidence during your presentation, so you refer to your notes less and connect with your audience more.

In the end, a business presentation is about selling ideas. Do your researches well, describe your ideas crisply, weave them into an interesting story and you are more likely to succeed.

(i) Make notes, using headings, sub - headings and abbreviations whenever necessary.

**(3 Marks)**

(ii) Write Summary.

**(2 Marks)**

**Question 8:**

(a) Physical barriers are a result of our surroundings. Discuss.

**(2 Marks)**

(b) (i) Choose the word which best expresses the meaning of the given word:

**ADHERE**

- (a) separate
- (b) split
- (c) humility
- (d) fasten

**(1 Mark)**

(ii) Select a suitable antonym for the word given under:

**CANDID**

- (a) deceptive
- (b) frank
- (c) sincere'
- (d) subordinate

**(1 Mark)**

- (iii) Change the following sentence to indirect speech:  
He said to me, "It would be nice if I could see you again."

(1 Mark)

- (c) Write a precis and give an appropriate title to the passage given below :  
Naval architects-never claim that a ship is unsinkable, but the sinking of the passenger- and-car ferry Estonia in the Baltic surely should have never happened. It was well designed and carefully maintained. It carried the proper number of lifeboats. It had been thoroughly inspected on the day of the voyage. Yet, hours later, the Estonia rolled over and sank in the cold, stormy night. It went down so quickly that most of those on board, caught in the dark, flooding cabins had no chance to save themselves: Of those who managed to scramble overboard, only 139 survived. The rest died of hypothermia before the rescuers could pluck them from the cold sea. The final death toll amounted to 912 Souls. However, there were an unpleasant number of questions about why Estonia sank and why so many survivors were men in the prime of life, while most of the dead were woman, children and the elderly.

(5 Marks)

**Question 9:**

- (a) What is the informal communication?

(2 Marks)

**OR**

State the common networks used in organisations.

(2 Marks)

- (b) (i) Choose the word which best expresses the meaning of the given word:

**Defray**

- (1) Sudden  
(2) Rash  
(3) Disclaim  
(4) Spend

(1 Mark)

- (ii) Choose the word which best expresses the meaning of the given word:

**Immaculate**

- (1) Spotless  
(2) Tarnished  
(3) Defiled  
(4) Pleasing

(1 Mark)

- (iii) Change the following sentence to indirect speech:  
He said to her, "Are you coming to the party?"

(1 Mark)

- (c) You are a student of Mother's Global Institute. Your institute celebrated the annual day on 30th November 2021. Draft a report on annual day celebration to be included in your institute's annual magazine.

(5 Marks)

**Question 10:**

- (a) "Human behaviour is not under the sole control of emotion or deliberation but results from the interaction of these two processes". Explain. **(2 Marks)**
- (b) (i) Change the sentence from Active to Passive Voice.  
I ran the obstacle course in record time. **(1 Mark)**
- (ii) Change the sentence from Passive to Active Voice.  
Money was generously donated to the homeless shelter by Larry. **(1 Mark)**
- (iii) Change the following sentence into indirect speech.  
The students said to their teacher, 'please allow us to watch the cricket match.'  
**(1 Mark)**
- (c) Corruption has become the order of the day. It has entered all walks of life. Write an article for your school magazine in 250 words on 'The Role of Youth in combating corruption'. **(5 Marks)**

**Question 11:**

- (a) Your company, primarily into FMCG has witnessed a steep rise in a consumer product over the last six months. You can mention the product as soaps, detergents, sanitizers etc. Prepare the minutes of the meeting for the same. Members in the meeting: Head of the Sales and Marketing, Product Head, Product lead and few team members. **(5 Marks)**
- (b) Listening is important for effective Communication. Comment. **(3 Marks)**
- (c) Change the following sentences into passive voice.  
1. Do you buy books from the market?  
2. The goldsmith makes the ring. **(2 Marks)**

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