

**(GCF-1, 3, 4, 5, 6, 7+7A, 8+8A, 9, 12, 13 & 14, VCF-1,2 & 4, ACF-1,2 & 5, JCF-1 & 3, DCF-5,6,7 & 8, Drive-2)**

**DATE: 01.11.2023**

**MAXIMUM MARKS: 100**

**TIMING: 3<sup>1/4</sup> 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 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)** The Memorandum of Association of a company was presented to the Registrar of Companies for registration and the Registrar issued the certificate of incorporation. After complying with all the legal formalities a company started a business according to the object clause, which was clearly an illegal business. The company contends that the nature of the business cannot be gone into as the certificate of incorporation is conclusive. Answer the question whether company's contention 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 2:**

- (a)** Give provisions related to position of Minor under Indian Contract Act 1872?

**(7 Marks)**

- (b)** What are steps to incorporate LLP?

**(5 Marks)**

**Question 3:**

- (a)** What is true test of Partnership?

**(6 Marks)**

- (b)** X, Y and Z jointly borrowed Rs. 50,000 from A. The whole amount was repaid to A by Y. Decide in the light of the Indian Contract Act, 1872 whether:

(i) Y can recover the contribution from X and Z,

(ii) Legal representatives of X are liable in case of death of X,

(iii) Y can recover the contribution from the assets, in case Z becomes insolvent.

**(6 Marks)**

**Question 4:**

- (a) What is auction sale give relevant provisions?

**(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) 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) Explain the doctrine of Ultra Vires and State its implications (consequences)?

**(6 Marks)**

**Question 6:**

- (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) 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?

**(4 Marks)**

- (c) What is meant by a Guarantee Company? State the similarities and dissimilarities between a Guarantee Company and a Company having Share Capital ?

**(3 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)**

- (b) (i) Give the suitable meaning**  
Bury the Hatchet

**(1 Mark)**

- (ii) Active Passive Questions**

The melody has been composed wonderfully by A.R. Rahman.

**(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)**
- (b) (i) **Active Passive Questions**  
Nisha will speak to her parents tomorrow
- (1 Mark)**
- (ii) **Give the suitable meaning**  
By Hook or By crook
- (1 Mark)**
- (iii) **Give the suitable meaning**  
Out of the Blue
- (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) **Active Passive Questions:**
- (i) He had left the job.
- (ii) The news has not been brought to my attention by anybody.
- (iii) The government is worrying about the severe natural calamity in the northern region.
- (3 Marks)**
- (c) Draft a resume for Mr. Raghav Shetty, a resident of Pune, a qualified MBA. Raghav now plans to switch his job and is applying to one of the Big fours. Drafts combination format.

**(5 Marks)**

**Question 11:**

**(a)** Write about the cultural barriers in communication.

**(3 Marks)**

**(b) Give the suitable meaning**

- (i) Come off with flying colours
- (ii) A close shave

**(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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