

Seat No.: _____

Enrolment No. _____

GUJARAT TECHNOLOGICAL UNIVERSITY
MBA – SEMESTER 03 – EXAMINATION – SUMMER 2017

Subject Code: 2830002

Date: 08/05/2017

Subject Name: LEGAL ASPECTS OF BUSINESS

Time: 02.30 PM TO 05.30 PM

Total Marks: 70

Instructions:

1. Attempt all questions.
2. Make suitable assumptions wherever necessary.
3. Figures to the right indicate full marks.

Q1. (a) Multi choice Questions: 06

- 1 _____ is a system of secure key pair consisting of a private key and Public Key.
A. Digital Signature B. Computer System
C. Computer Network D. Asymmetric Crypto System
- 2 Under which type of Cheque, the Word “A/c Payee” is added?
A. Open Cheque B. Restrictive Crossing Cheque
C. Not Negotiable Crossing Cheque D. None of the above
- 3 A director who has not filed annual returns for _____ continuous financial years is disqualified.
A. any 2 B. any 5
C. any 3 D. None of the above
- 4 A guarantee which is for an existing debt or obligation is called _____.
A. Retrospective Guarantee B. Fidelity Guarantee
C. Specific Guarantee D. Prospective Guarantee
- 5 _____ is considered to be charter of the company and define its *raison de’etre*.
A. Table A B. Articles of Association
C. Prospectus D. Memorandum of Association
- 6 Mr. A says to Mr. B, “I will sell you a Phone”. Mr. A owns three different types of Phones of various prices. Which type of offer is this?
A. Invalid B. Valid
C. General D. Implied

Q1. (b) Explain the following terms: 04

1. Proxies
2. Agency by Estoppel
3. Public Key
4. Promissory Note.

Q1. (c) Explain the types of Cyber Crime. 04

Q2. (a) What is an offer? Explain types of offer and essentials of a valid offer. 07

(b) What is a Trademark? Explain infringement of Trademark with practical examples 07

OR

- Q3.** (b) Explain various rights of an unpaid seller with appropriate examples. **07**
(a) Differentiate between a Shareholder and an Member. Explain how one can become member and under what circumstances, Membership gets terminated? **07**
(b) What is Consumer Dispute? Discuss various Consumer Dispute Redressal Agencies. **07**

OR

- Q3.** (a) Explain types of Liabilities created for Misstatement in Prospectus. **07**
(b) Discuss remedies available to aggrieved party under Breach of Contract. **07**
Q4. (a) Explain the classification of Negotiable Instruments. **07**
(b) Define Bailment. Explain various duties of Bailor and Bailee with appropriate examples. **07**

OR

- Q4.** (a) Explain functions of Central and State Board regarding Air Pollution under The Air (Prevention and Control of Pollution) Act, 1981. **07**
(b) Explain Disqualification and Duties of Director as per Companies' Act, 1956. **07**
Q5. (a) Mr A is enfeebled by age and illness. Mr B, his medical attendant, induces him to pay an unreasonable fee for his professional service. **07**
Can Mr A avoid the contract? If Yes, on what Plea? Justify the judgement with reasons.
(b) A lady buys synthetic pearls for a high price thinking that they are natural pearls. The seller does not correct her mistake. Does she have any remedy against the seller? **07**
Would your decision be different, if the lady had told the seller "I think they are natural pearls and therefore, agree to buy them at your price" and the seller was silent?
Justify the decision with reasons in both the situations

OR

- Q5.** (a) X, a retailer of Milk, supplied Y with milk which was consumed by Y and family. The milk contained bacterial germs. Y's wife was infected and died. **07**
What damages can be claimed? Discuss the legal position of parties
(b) The shareholders of a company duly called upon the Managing Director, to convene meeting of the company. In this meeting they wanted to move a motion removing the Managing Director from his post. The Managing Director failed to oblige them, so the shareholders themselves met at a place other than registered office of the company and by a resolution removed the Managing Director from his post. **07**
Is the resolution validly passed? What condition of meeting to be fulfilled to make this resolution valid? Justify the judgment.
Explain in detail which type of meeting is referred in the case.
