

AT-1411

M.B.A. Semester—III Examination

BUSINESS LAW

Paper—MBA/301

Time : Three Hours]

[Maximum Marks : 70

Note :—(1) Attempt **ALL** questions.

(2) Figures to the right indicate marks.

SECTION—A

1. (A) Explain what is quasi contract. State the various quasi contracts as recognised by the Indian Contract Act. 14

OR

- (B) What are the different modes of discharging a contract ? Discuss in brief. 14

SECTION—B

2. (A) Explain required essentials of a contract of sale with examples. 7
- (B) 'X' buys a sofa-set from a furniture dealer. He neither makes the payment-nor takes the delivery of the sofa-set. He asks the dealer to deliver the sofa-set at his residence the next day and collect the payment. As a result of accidental fire, the sofa-set is destroyed. Can the dealer recover the price from the buyer ? Justify your answer. 7

OR

- (C) Who is an unpaid seller ? What are his rights ? 7
- (D) 'A' agreed to sell to 'B' 150 cotton shirts of a particular brand at the rate of Rs. 300 per shirt. But 'A' delivered 160 shirts. Although all the shirts were of uniform quality as agreed upon, yet 'B' rejected the whole lot. Was 'B' right in his action ? Justify. 7

3. (A) Who is a holder of a Bill of Exchange in due course ? Explain his privileges. 7
- (B) 'A' drew a bill on 'B' for Rs. 500 and endorsed it in favour of 'C'. The bill was duly accepted by 'B' but it was dishonoured on due date for non payment. 'C' failed to give notice of dishonour to 'A'. Is 'A' discharged from liability ? If yes, who will be liable against 'C' ? Justify. 7

OR

- (C) What do you mean by discharge of a negotiable instrument ? Discuss the ways through which an instrument may be discharged ? 7
- (D) 'P' drew a cheque for Rs. 1000 in favour of 'Q' and delivered the same to him. When the cheque ought to be presented, 'p' had sufficient funds with the banker to meet it. 'g' however, did not present the cheque for an unreasonable long time and in the mean time the bank went bankrupt. Discuss the remedy 'g' has against the drawer and the banker. 7

SECTION—C

4. (A) Define Company and kinds of Company under The Companies Act, 1956. 7
- (B) Write a difference between Memorandum and Articles of Association of a Company. 7

OR

- (C) What is Memorandum of Association of a Company ? State its essential contents. 7
- (D) Write a difference between winding up and dissolution of a company. 7

SECTION—D

5. (A) 'Y' a consumer, had booked his goods with the railways for transportation. The goods reached the place of destination after a delay of 10 days for which the consumer seeks your advice as to whether he can successfully file a complaint against the railways for deficiency of service under the Consumer Protection Act, 1986. Justify your answer. 7
- (B) A film was produced by ABC production house which got a huge success in box office in State of Maharashtra. XYZ production company of Andhra Pradesh copied the same theme of the film and produced a film based on same theme. ABC production house claimed for copying the theme of the film. Can ABC production house succeed in claim ? Whether the above issue comes under Copyright Act ? Justify both the cases. 7