

VPM's
DR VN BRIMS, Thane
Programme: PGDM (2018-20)
PGDM Trimester II Examination December 2018

Subject	Legal aspects of Business		
Roll No.		Marks	60 Marks
Total No. of Questions	7	Duration	3 Hours
Total No. of printed pages	1	Date	20.12.2018

INSTRUCTIONS:

1. There would be seven questions in all .Q1 would be compulsory and would carry 20 marks. In addition to Q.1 there would be six questions .Each question would carry 10 marks each of these six questions will have three sub questions and each sub question would carry 5 marks .Attempt any four out of the remaining six questions and within each question students have to attempt any two out of three sub questions. In all students have to attempt five questions ie (Q.1 + any four of the remaining)
2. Give illustrations, case laws, quote sections where necessary.
3. Marks for each question are shown in brackets on the right side

Q.1 is Compulsory and carries 20 Marks.

1. Amit, on board in an English ship in England territorial waters on the high seas, causes Bharat to enter into an agreement by an act amounting to criminal intimidation (Threat) under the Indian Penal Code (45 of 1860). What has Amit Done?

Amit afterwards sues Bharat for breach of contract at Calcutta .Amit's act is not an offence by the law of England, as section 506 of the Indian Penal Code (45 of 1860) was not in force at the time when or place where the act was done.

Explain the Law relating to Consent and Free Consent and advise Bharat. (20)

Attempt Any FOUR from the Remaining SIX Questions

Q2) Any two from (a) or (b) or (c) ————— (5x2) = 10 Marks

- a) Explain the doctrine of Caveat emptor.
- b) Define Contract of Sale and state its characteristics.
- c) Condition and Warranty

Q3) Any two from (a) or (b) or (c) ————— (5x2) = 10 Marks

- a) Separate legal entity of Company along with Solomon's case
- b) Memorandum of Association
- c) Foss v/s Harbottle (Principal of Majority Rule)

Q4) Any two from (a) or (b) or (c) ————— (5x2) = 10 Marks

- a) Indemnity and Guarantee
- b) Contract of Bailment, rights of the bailor and duties of bailee.
- c) Law of Agency and types of agents

Q5) Any two from (a) or (b) or (c) ————— (5x2) = 10 Marks

- a) Define Consumer and explain the manner in which complaint is file.
- b) S.138 of the Negotiable instrument act.
- c) Define partnership and state its characteristics.

Q6) Any two from (a) or (b) or (c) ————— (5x2) = 10 Marks

- a) Competency to Contract
- b) Wager and contingent contract
- c) Quasi Contract

Q7) Any two from (a) or (b) or (c) ————— (5x2) = 10 Marks

- a) Sebi insider trading
- b) Carlill v/s Carbolic Smoke ball Company
- c) Invitation to offer.