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Question Paper Code : 70159

M.B.A. DEGREE EXAMINATIONS, NOVEMBER/DECEMBER 2019

First Semester

BA 5104 – LEGAL ASPECTS OF BUSINESS

(Regulations 2017)

Time : Three Hours

Maximum : 100 Marks

Answer ALL questions

PART – A

(10×2=20 Marks)

1. What is an implied contract ?
2. What are the duties of the principal in a contract of agency ?
3. What is railway receipt ?
4. Who is a holder in due course ?
5. Distinguish between Memorandum of Association and Articles of Association.
6. What are the powers of the court on hearing petition for winding up ?
7. Define 'wages' as per the Payment of Wages Act, 1936 ?
8. What are the essentials of a lock out as laid down in the Industrial Disputes Act, 1947 ?
9. What are the rights of a consumer ?
10. What are the benefits of trademark registration ?



PART – B

(5×13=65 Marks)

11. a) i) By whom must contracts be performed ? (4)
 ii) What are reciprocal promises ? Bring out the rules regarding the performance of reciprocal promises. (9)
 (OR)
- b) i) What are the essentials of the relationship of agency ? (3)
 ii) Explain the various ways in which the relationship of agency is created. (10)
12. a) i) What do you mean by delivery of goods as per the Sale of Goods Act, 1930 ? (3)
 ii) Explain any five rights and duties of the buyers in a contract of sale. (10)
 (OR)
- b) i) Who are the parties to a bill of exchange ? (2)
 ii) Explain the different modes of discharge of a party or parties to a Negotiable instrument. (11)
13. a) i) Explain any five differences between a public company and a private company. (5)
 ii) Examine the provisions of the Companies Act regarding appointment of Directors. (8)
 (OR)
- b) i) Summarise the duties of the liquidator of a company. (8)
 ii) Emphasise the significance of corporate Governance in an emerging economy like India. (5)
14. a) i) Explain the provisions of the Factories Act, 1948, regarding facilities for the welfare of the workers. (8)
 ii) Explain the rules for payment of wages as laid down in the Payment of Wages Act, 1936. (5)
 (OR)
- b) Elaborate the procedure laid down in the Industrial Disputes Act, 1947, regarding Award and Settlement. (13)
15. a) Explain the power of the Competition Commission of India as per the Competition Act, 2002. (13)
 (OR)
- b) Bring out the provisions of the Information Technology Act, 2000 regarding :
- i) Authentication of electronic records. (6.5)
- ii) Electronic Governance. (6.5)



PART – C

(1×15=15 Marks)

16. a) i) On the 5th of a month A makes an offer to B, by a letter which reaches B on the 6th. On the 7th B posts his letter of acceptance. Meanwhile, on the 6th A posts a letter to B revoking the offer. On seeing it B sends a telegram to A on the 8th confirming the acceptance given through his letter of the 7th. Discuss the legal effects of the three letters and the telegram. (7.5)
- ii) Owing to A's failure to lend B Rs. 10 lakhs as agreed, B was unable to perform a Government contract. The Government sued him a judgement and he is turn sued A for compensation under the Following heads :
- i) Loss of profits on the Government contract,
 - ii) Loss of future contracts with the Government,
 - iii) Damages and cost of the suit awarded to the Government,
 - iv) His cost of defending the suit,
 - v) Mental distress and consequential ill health, and
 - vi) Loss of reputation in his business as a contractor. What will A have to pay? (7.5)

(OR)

- b) i) A Promises to sell and deliver on the 5th of January a lorry to B. The parties have stipulated that time should be the essence of the contract. A delivers the lorry only on the 5th of February. Explain what are the rights of B against A in this case. Suppose B desire to accept the belated delivery and also a claim compensation for loss occasioned by the non-performance of promise at the time agreed. Advise B as to whether he can achieve these two objectives. (7.5)
- ii) A, B and C as sureties for D enter into three bonds, each in a different penalty, namely, A in the penalty of Rs. 10,000, B in that of Rs. 20,000 and C in that of Rs. 40,000 conditioned for D's duly accounting to E. D makes default to the extent of (i) Rs. 30,000: (ii) Rs. 40,000: (iii) Rs. 50,000, : (iv) Rs. 60,000: (v) Rs. 70,000. (vi) Rs. 80,000. Apportion the liabilities of A, B, and C. (7.5)
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