

9627

**B.A. LL.B. (Hons.) 5 Year Course 5th Semester**  
**(Common with LL.B. (Hons.) 3 Year Course 1st Semester)**

**Examination, November-2018**

**COMPANY LAW**

**Paper-507**

*Time allowed : 3 hours]*

*[Maximum marks : 80*

*Note : Attempt one Question from each unit. Question no. 9 is compulsory.*

**Unit-I**

1. Enumerate the advantages that a business organisation enjoy through incorporation under The Companies Act, 2013. 14
2. "The Fundamental attribute of Corporate Personality is that Company is a legal entity distinct from the members". Explain with the help of cases. 14

**Unit-II**

3. "Memorandum of Association is a a charter of the Company". Comment upon the statement and explain the clauses which are included in the memorandum of association. 14
4. "The doctrine of indoor management is a silver lining to strangers dealing with the Company". Comment with the help of Case Laws. 14

9627-P-3-Q-9(18)

[P. T. O.]

**Unit-III**

5. "The legal position of director is difficult to define. Sometimes they are compared to trustees, sometimes to agents and sometimes to managing partners. But strictly speaking, they occupy none of these positions". Explain with the help of decided Cases. 14
6. Discuss the legal position in the following Case :  
A Director fails to disclose the interest in a contract in which he is interested, which was approved at the Board Meeting. 14

**Unit-IV**

7. Discuss the provision of the Companies Act, 2013 for the Prevention of oppression and mismanagement. 14
8. Differentiate between the Members voluntary winding up and Creditors voluntary winding up. 14
9. Explain in brief the following :
- (a) Pre-incorporation Contract 03
  - (b) Characteristic of Public Ltd. Company 03
  - (c) Alteration of Capital Clause 03

(d) Doctrine of Constructive Notice	03
(e) Duties of Independent Director	03
(f) Qualification of director	03
(g) Qualification of Auditor	03
(h) Receiver	03