

End Semester/Reappear (Semester III) Examination December 2022

Programme: LL.B
Course: Company Law
Course Code: 24D.205
Enrollment No: _____

Full Marks: 70
Time: 3 Hrs.

Section I

1. Short Answer type questions. Answer any four.

4 x 5 = 20

- Thailand is the country where Herry Ltd. is registered. Even though it doesn't have a registered office in India, it uses telemarketing to conduct internet business there, with its main server for these operations located outside of India. Describe the company's legal status as defined by the 2013 Companies Act.
- Mr. Aakash, a relative of Mr. Prakash and a practising chartered accountant, is the owner of ABC Ltd shares with a face value of Rs 70,000 and a market value of Rs 1, 10,000. Mr. Prakash is to be appointed as the company's auditor by the directors of ABC Ltd. Check to see if he qualifies for an appointment as an auditor under the 2013 Companies Act's provisions.
- What impact do acquisitions and mergers have on shareholders? Discuss.
- Define Class Action suits. Discuss the advantages of class action suits.
- State the difference between Merger and Acquisition.
- Discuss the different kinds of Directors mentioned under the Companies Act, 2013.

Section II

Long Answer type questions. Answer any three.

3 x 10 = 30

- Describe the constructive notice principle. What is the rule established in Royal British Bank vs. Turquand, and what defences are available to a firm against its application?
- What exactly do you mean by "inter corporate loans"? Discuss the relevant clause of the 2013 Companies Act.
- Explain the definition of the word "oppression" using examples from decided cases and talk about the requirements for remedy outlined in statutory provisions.
- A company was formed with the main object of manufacturing coffee from dates under a German Patent to be acquired by the company. However, the company failed to acquire German Patent but started manufacturing coffee from dates under a Swedish patent which the company acquired. A petition for winding up of the company has been filed by a contributor. How would you decide? Also discuss the grounds for compulsory winding up of a company with reference to statutory provisions and the case law.
- Describe the idea of corporate personality and discuss with examples from court decisions.

Section III

Application based questions. Answer any one.

1 x 20 = 20

- "A director of a company stands in a fiduciary connection to the company and shall observe the highest good faith toward the firm in any transaction with it or on behalf of it," states the fiduciary relationship. Examine the aforementioned claim critically, mentioning any additional director responsibilities supported by law.
- What do you mean by corporate social responsibility? Describe the CSR Committee's structure and mandate.
- Ashbury Railway Carriage & Iron Co. Ltd. v. Riche and other examples are used to explain the doctrine of ultra Vires.