

**End Semester/ Reappear (Semester III) Examination December 2023**

**Programme: LLB**

**Course: Company Law**

**Course Code: 24D.221**

**Enrolment no.** \_\_\_\_\_

**Full Marks: 70**

**Time: 3 Hrs.**

**Section I**

**1. Short Answer type questions. Answer any four.**

**4 x 5 = 20**

- a. Explain briefly the various kinds of company with examples.
- b. Elucidate Red Herring Prospectus and Shelf Prospectus with the help of statutory provision.
- c. Mr. Prakash is a practicing Chartered Accountant and Mr. Aakash who is a relative of Mr. Prakash is holding securities of ABC Pvt. Ltd. having face value of Rs 70,000/- [market value of 1,10,000/-] . Directors of ABC Pvt. Ltd. want to appoint Mr. Prakash as an auditor of the company. Examine whether he is eligible to be appointed as an auditor under the provisions of the Companies Act, 2013.
- d. How does merger and acquisition affect shareholders? Discuss.
- e. State the concept of Doctrine of Indoor management.
- f. Explain the role of SEBI for takeover of a company.

**Section II**

**Long Answer type questions. Answer any three.**

**3 x 10 = 30**

2. Critically examine the Article of Association of a company and its importance.
3. Discuss the role of courts in protecting the interest of Creditors and Shareholders
4. Explain the meaning of the term “oppression” with reference to decided cases and discuss the conditions of relief laid down under statutory provision.
5. Who can be appointed as a director of a company? Also, discuss the position of Director in a company.
6. What do you understand about Corporate Criminal liability? Discuss the provisions of Companies Act, 2013 which recognizes Corporate Criminal Liability.

**Section III**

**Application based questions. Answer any one.**

**1 x 20 = 20**

7. Company laws have clearly demarcated shares from debentures. Discuss in detail the difference between shares from debentures.
8. “A director of a company stands in a fiduciary relationship towards the company and shall observe utmost good faith towards the company in any transaction with it or on behalf of it.” Critically examine the above statement and mention the other duties of directors with decided cases.
9. Classify the different types of winding up of a company. Enumerate the procedure for the voluntary winding up of a company.

\*\*\*\*\*