

(B) Nitin Das was running a flourishing chain of automobile repair workshops under the name 'Das Auto'. When he saw the new Volkswagen commercial on the national television, infuriated at his brand name being used as Volkswagen's tagline, without his prior permission; he decided to take legal action against the automobile company. In a press conference later in the evening, his lawyer announced that they have filed a Complaint under Copyright Act against Volkswagen. Will Nitin succeed ? 7

**AR-1204-Add**

**M.B.A. Semester—III Examination**

**BUSINESS LAW**

**Paper—MBA-301**

Time : Three Hours] [Maximum Marks : 70

**Note :—**(1) Attempt **ALL** questions.

(2) Figures to the right indicate marks.

**SECTION—A**

1. (A) What do you mean by breach of contract ? Discuss the various remedies against breach of contract.

14

**OR**

- (B) "Contract is an agreement enforceable by law." Comment on this statement in the light of essential elements of a valid contract.

14

**SECTION—B**

2. (A) Distinguish between a Sale and an Agreement to Sell.

7

- (B) 'A' purchased an LED TV from a dealer. 'A' being a non technical person does not know about the technical details of the LED TV. On being put to

use the TV was found to be defective from the very beginning and it did not work inspite of the repairs under-taken by the dealer. 'A' wants to return the TV and claim refund. Is the action of the 'A' justified ? 7

**OR**

(C) Explain the right of unpaid seller against the goods and the buyer personally. 7

(D) X sells to Y a horse which is to be delivered to Y the next week. Y is to pay the price on delivery. X asks his servant to keep the horse separate from other horses. The horse was kept separate with the knowledge and consent of the buyer. The horse however dies before it is delivered and paid for. Who shall bear the loss ? Why ? 7

3. (A) Describe the rights and privileges of a Holder in due course. 7

(B) A promissory note was made without mentioning any time for payment. The holder added the word 'on demand' on the face of the instrument. State whether it amounted to material alteration and explain the effect of such alteration. 7

**OR**

(C) What is merit of crossing of a cheque ? State its various kinds. 7

(D) 'A' sign as the maker of a blank stamped paper and gives it to 'B' and authorises him to fill it as a note for Rs. 2,000, it being the amount of advance made by 'B' to 'A'. B fraudulently fills it up as a note for Rs. 3,000 and then for consideration endorse it to 'C'. Can 'C' enforce the instrument ? 7

### SECTION—C

4. (A) Explain the importance and contents of Articles of Association. 7

(B) Explain the what circumstances a company may be wound up by the court ? 7

**OR**

(C) What are the different types of companies which may be incorporated under the Companies Act ? 7

(D) What is Memorandum of Association ? State its essential contents. 7

### SECTION—D

5. (A) While surfing through internet you ordered some goods on cash on delivery basis. On making payment at the time of delivery you notice the goods is not as same you ordered ? What rights you have under the Provision of Law ? 7