

### SECTION-C

5. A political leader is owning a company. He started this company five years back when he was a member of ruling party. But now his party is in opposition and other party is in ruling position. The land for a company was acquired illegally. Now as government is of other party, the political leader fears that an enquiry may be conducted against him for illegally acquiring the land. So he plans to windup the company in a hurry. Employees and shareholders are opposing it.
- (i) Do you think that wind up of a company is possible ?  
How ? 7
- (ii) What are the legal provisions applicable regarding winding of the company ? 7

AQ-1341 A

**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) Define quasi-contract. Explain different types of quasi-contract. 14

**OR**

- (b) Describe breach of contract with its remedies available. 14

### SECTION-B

2. (a) What are the essential characteristics of a contract of sale of goods ? 7
- (b) 'A' purchased a car for Rs. 50,000 from 'B' who had no title for it. 'A' used the car for seven months when the true owner of the car spotted it and demanded it from 'A'. Can the true owner get back his car and Can 'A' recover the money from 'B' or not ? 7

**OR**

- (c) Explain the meaning and rights of an unpaid seller against the goods according to the provisions of Sales of Goods Act 1930. 7
- (d) A stock of wheat was sold at an agreed price per ton. The wheat was to be weighed by the agents of the seller as also of the buyer for ascertainment of the price. A part of the wheat was weighed and carried away by the buyer's agent but the remainder was swept away by the flood. Who will bear the loss of the remainder and why? 7
3. (a) Explain characteristics of cheque and different types of cheques. 7
- (b) 'A' signs as the maker, 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, endorses it to 'C'. Can 'C' enforce the instrument? 7

**OR**

- (c) Explain different types of Negotiable Instruments. 7
- (d) An equity shareholder sold all his equities to the director of a company whose equity share were these. The director purchased these equity shares as he was knowing about the negotiation with a party to purchase all equity shares of his company at a higher price. The equity shareholder therefore sued to repudiate the contract. Will the shareholder succeed? 7

4. (a) What is Consumer Dispute? How does the consumer dispute redressal forum settle a dispute relating to deficiency in service? 7
- (b) ABC India Ltd. entered into an agreement with XYZ Film Corporation, a film producer. According to the agreement the copyright in the soundtrack of the film produced by XYZ Film Corporation was assigned by it to ABC India Ltd. The ABC India Ltd. by this agreement got the exclusive right to produce record tapes etc of the film and to sell the copies thereof. However, it was found that XYZ Film Corporation has been selling the copies of the soundtrack and of the films. Whether ABC is liable to file a suit against XYZ? Discuss the issues with the provision of the Copyright Act 1957. 7

**OR**

- (c) Define e-commerce with its advantages and disadvantages. 7
- (d) Ram located an i-pod of a leading brand offered for sale on internet at a reasonable price coupled with some offer on it. He logged in for purchasing it and paid for the same through his account. After receiving the parcel, Ram noted that the i-pod was a used one. What should Ram do now? Can Ram consider it a part of e-commerce? 7