

AS-763

**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 are quasi contracts ? Explain the conditions in which quasi contractual obligations arise. 14

**OR**

- (B) What is contract ? Explain the various essentials required for the valid contracts. 14

**SECTION—B**

2. (A) Explain the meaning and rights of an unpaid seller according to the provisions of Sales of Goods Act, 1930. 7
- (B) Mr. A was shopping in a self service super market. He picked up a bottle of cold drink from a shelf. While he was examining the bottle, it exploded in his hand and injured him. He filed a suit for damages against the owner of the market on the grounds of breach of condition. Decide under the Sales of Goods Act, 1930. Whether Mr. A would succeed in his claim ? 7

**OR**

- (C) Define the term 'condition'. Explain and illustrate the implied conditions in a contract of sale as provided in the Sales of Goods Act, 1930. 7
- (D) Ram sells 200 bags of cement to Shyam and sends 100 bags by lorry and 100 bags by railway. Shyam received the delivery of 100 bags sent by lorry but before he receives the delivery of the bags sent by railway, he becomes bankrupt. Ram who is still unpaid, stops the goods in transit. The official receiver, on Shyam's insolvency, claims the goods. Decide the case with reference to the provisions of the Sales of Goods Act. 7

3. (A) What is Promissory Note ? Explain essential characteristics of promissory note. 7  
(B) 'A' owes money to 'B'. 'A' makes a promissory note for the amount in favour of 'B'. For safety of transmission, he cuts the note in two halves and posts one half to B. Before posting the other half, he changes his mind and demands from B the half he has sent. Is 'A' justified in his demand ? 7

**OR**

- (C) State the nature and characteristics of a negotiable instrument. 7  
(D) 'A' drew a cheque for Rs. 5,000 in favour of 'B' and delivered same to him. And when cheque was sought to be presented for the payment 'A' had insufficient funds in his bank account to meet the cheque. The banker failed before the cheque was presented for payment. What rights does 'B' have in such condition ? 7

**SECTION—C**

4. (A) Distinguish between Public Company and Private Company. 7  
(B) What is Memorandum of Association ? State its essential contents. 7

**OR**

- (C) Explain importance and contents of Articles of Association. 7  
(D) Explain who may apply for winding up of a company. Why ? State conditions for winding up. 7

**SECTION—D**

5. (A) A book in Marathi was published by YYY Publication House which got huge success in the State of Maharashtra. XXX Publication House in 'Andhra Pradesh' translated same book in 'Telugu' language and sold it. What can be the consequences in above mentioned issue ? 7  
(B) A well known doctor is a heart surgeon. He cured various patients with the skill of open heart surgery. In a critical condition of heart patient also he used the new technique of open heart surgery which he invented himself. Can he patent the process of surgery according to Patent Act ? Justify your answer. 7