

GUJARAT TECHNOLOGICAL UNIVERSITY**MAM - SEMESTER-IV • EXAMINATION-WINTER • 2014****Subject Code: 4140504****Date: 28/11/2014****Subject Name: Legal Aspects of Business****Time: 10:30am-1:30pm****Total Marks: 70****Instructions:**

1. **Attempt all questions.**
2. **Make suitable assumptions wherever necessary.**
3. **Figures to the right indicate full marks.**

- Q.1** (a) State briefly the law relating to competence of parties to a contract. **07**
 (b) Explain Memorandum of Association. Discuss the main contents of MOA. **07**

- Q.2** (a) Differentiate Sales and Agreement to sale. **07**
 (b) Define Agency. What are the various ways in which the relation of agency arises? **07**

OR

- (b) Explain the concept of bailment and how it is different from pledge. **07**

- Q.3** (a) Amar sold his business to Bharat but this fact was not known to an old customer Chander. Chander placed an order for certain goods to Amar by name. Bharat supplied the goods to Chander. Is there a valid contract? **07**
 (b) Briefly state the provisions of the Companies Act, 1956 regarding the modes of appointment of the directors of a company. **07**

OR

- Q.3** (a) What is the importance and meaning of copyright? Enumerate the works in which copyright subsists. **07**
 (b) Explain – Consumer as per Consumer Protection Act. Explain the composition and jurisdiction of District Forum for redressal of Consumer Dispute. **07**

- Q.4** (a) Harish contracts to sell Raman a piece of silk. Raman thinks that it is an Indian silk. Harish knows that Raman thinks so and knows that it is not an Indian silk. Harish does not correct Raman's wrong impression. Raman later discovers that it is not an Indian silk and wants to repudiate the contract. Can he do so? **07**
 (b) Differentiate holder and holder in due course. What are the conditions for and privileges of holder in due course? **07**

OR

- Q.4** (a) What are the salient features of a negotiable instrument? **07**
 (b) How is Controller or Certifying Authority appointed? What are his functions under Information Technology Act, 2000? **07**

- Q.5** (a) Explain the types of Assignment of Patents. **07**

- (b) Arun signed as maker, a blank stamped paper and gave it to Bhavin and authorized him to fill it as a note for Rs. 500. Bhavin fraudulently filled it up as a note for Rs. 1,000 payable to Charu, who in good faith advanced Rs. 1,000. Can Charu recover Rs. 1,000 from Arun? **07**

OR

- Q.5** (a) What are the powers of central government to protect and improve the Environment? **07**

- (b) X, Y, Z, Directors of a company were the major shareholders of the company. X was the chairman of the company. At a meeting of the Board of Directors, it was decided to increase the share capital. Y and Z did not have the money to take up additional shares and feared that in consequence, X would corner all shares and become predominant in the company. So a general meeting was called and it was resolved that the present members alone should not benefit from the prosperity of the company, but others also should share, and a special resolution was passed that the new shares may be offered to about a dozen persons who were not members of the company. X rushed to the Tribunal, complaining of oppression, saying that Y and Z wanted to throw him out as director and chairman of the company and they had passed a special resolution to bring about a change in management. Will X succeed? **07**
