Seat No.: \_\_\_\_\_

**GUJARAT TECHNOLOGICAL UNIVERSITY** MBA - SEMESTER 03 - EXAMINATION - SUMMER 2017

#### Subject Code:2830002 Date: 08/05/2017 Subject Name: LEGAL ASPECTS OF BUSINESS Time: 02.30 PM TO 05.30 PM **Total Marks: 70 Instructions:** 1. Attempt all questions. 2. Make suitable assumptions wherever necessary. 3. Figures to the right indicate full marks. Q1. (a) Multi choice Questions: 06 \_\_\_\_\_ is a system of secure key pair consisting of a private key and 1 Public Key. A. Digital Signature Computer System B. C. Computer Network D. Asymmetric Crypto System 2 Under which type of Cheque, the Word "A/c Payee" is added? A. Open Cheque B. Restrictive Crossing Cheque C. Not Negotiable Crossing Cheque D. None of the above A director who has not filed annual returns for \_\_\_\_\_ continuous financial 3 years is disqualified. A. any 2 B. any 5 any 3 D. None of the above C. A guarantee which is for an existing debt or obligation is called\_\_\_\_\_. 4 Retrospective Guarantee Fidelity Guarantee B. A. Prospective Guarantee C. Specific Guarantee D. is considered to be charter of the company and define its 5 raison de 'etre. B. Articles of Association Table A A. C. Prospectus D. Memorandum of Association Mr. A says to Mr. B, "I will sell you a Phone". Mr. A owns three different 6 types of Phones of various prices. Which type of offer is this? A. Invalid B. Valid C. General D. Implied **O1.** (b) Explain the following terms: 04 1. Proxies 2. Agency by Estoppel 3. Public Key 4. Promissory Note. Q1. (c) Explain the types of Cyber Crime. 04 What is an offer? Explain types of offer and essentials of a valid offer. **Q2**. 07 (a) What is a Trademark? Explain infringement of Trademark with practical 07 **(b)** examples

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# OR

- (b) Explain various rights of an unpaid seller with appropriate examples. 07
- Q3. (a) Differentiate between a Shareholder and an Member. Explain how one can 07 become member and under what circumstances, Membership gets terminated?
  - (b) What is Consumer Dispute? Discuss various Consumer Dispute Redressal 07 Agencies.

### OR

- Q3. (a) Explain types of Liabilities created for Misstatement in Prospectus. 07
  - (b) Discuss remedies available to aggrieved party under Breach of Contract. 07
- Q4. (a) Explain the classification of Negotiable Instruments.
  - (b) Define Bailment. Explain various duties of Bailor and Bailee with 07 appropriate examples.

## OR

- Q4. (a) Explain functions of Central and State Board regarding Air Pollution 07 under The Air (Prevention and Control of Pollution) Act, 1981.
  - (b) Explain Disqualification and Duties of Director as per Companies' Act, 07 1956.
- Q5. (a) Mr A is enfeebled by age and illness. Mr B, his medical attendant, induces 07 him to pay an unreasonable fee for his professional service. Can Mr A avoid the contract? If Yes, on what Plea? Justify the judgement with reasons.
  - (b) A lady buys synthetic pearls for a high price thinking that they are natural **07** pearls. The seller does not correct her mistake. Does she have any remedy against the seller?

Would your decision be different, if the lady had told the seller "I think they are natural pearls and therefore, agree to buy them at your price" and the seller was silent?

Justify the decision with reasons in both the situations

# OR

Q5. (a) X, a retailer of Milk, supplied Y with milk which was consumed by Y and 07 family. The milk contained bacterial germs. Y's wife was infected and died.

What damages can be claimed? Discuss the legal position of parties

(b) The shareholders of a company duly called upon the Managing Director, 07 to convene meeting of the company. In this meeting they wanted to move a motion removing the Managing Director from his post. The Managing Director failed to oblige them, so the shareholders themselves met at a place other than registered office of the company and by a resolution removed the Managing Director from his post.

Is the resolution validly passed? What condition of meeting to be fulfilled to make this resolution valid? Justify the judgment.

Explain in detail which type of meeting is referred in the case.

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