

PART A : BUSINESS LAWS (60 MARKS)

Question 1 is Compulsory. Attempt any 4 out of remaining 5 Questions.

Question 1(a)

(4 MARKS)

Father promised to pay his son a sum of rupee one lakh if the son passed C.A. examination in the first attempt. The son passed the examination in the first attempt, but father failed to pay the amount as promised. Son files a suit for recovery of the amount. State along with reasons whether son can recover the amount under the Indian Contract Act, 1872.

Question 1(b)

(4 MARKS)

What do you understand by "Caveat-Emptor" under the Sale of Goods Act, 1930?

What are the exceptions to this rule?

Question 1(c)

(4 MARKS)

What is Partnership Deed? What are the particulars that the partnership deed may contain?

Question 2(a)

(6 MARKS)

Mr. Samuel agreed to purchase 100 bales of cotton from Mr. Varun, out of his large stock and sent his men to take delivery of the goods. They could pack only 60 bales. Later on, there was an accidental fire and the entire stock was destroyed including 60 bales that were already packed. Referring to the provisions of the Sale of Goods Act, 1930 explain as to who will bear the loss and to what extent?

Question 2(b)

(6 MARKS)

What do you understand by the term 'Consideration'? Are there any circumstances under which a contract, under the provisions of the Indian Contract Act, 1872, without consideration is valid? Explain.

Question 3(a)

(5 MARKS)

"An anticipatory breach of contract is a breach of contract occurring before the time fixed for performance has arrived". Discuss stating also the effect of anticipatory breach on contracts.

Question 3(b)

(7 MARKS)

Explain Non-Profit Organization under Section 8 of Companies Act. Also state the procedure for omitting the words 'Limited' or 'Private Limited' from their name.

Question 4(a)

(4 MARKS)

What do you mean by Designated Partner? Whether it is mandatory to appoint Designated partner in a LLP?

Question 4(b)**(4 MARKS)**

Point out with reason whether the following agreements are valid or void:

- (i) Riya promises Samarth to lend Rs. 500,000 in lieu of consideration that Samarth gets Riya's marriage dissolved and he himself marries her.
- (ii) Aryan agrees with Mathew to sell his black horse. Unknown to both the parties, the horse was dead at the time of agreement.
- (iii) Ravi sells the goodwill of his shop to Shyam for Rs. 4,00,000 and promises not to carry on such business forever and anywhere in India.
- (iv) In an agreement between Prakash and Girish, there is a condition that they will not institute legal proceedings against each other without consent.

Question 4(c)**(4 MARKS)**

State the legal consequences of the following as per the provisions of the Indian Partnership Act, 1932:

- (i) Retirement of a partner
- (ii) Insolvency of a partner

Question 5(a)**(6 MARKS)**

Flora Fauna Limited was registered as a public company. There are 230 members in the company as noted below:

(a)	Directors and their relatives	190
(b)	Employees	15
(c)	Ex-Employees (Shares were allotted when they were employees	10
(d)	5 couples holding shares jointly in the name of husband and wife (5*2)	10
(e)	Others	5

The Board of Directors of the company propose to convert it into a private company. Also advise whether reduction in the number of members is necessary.

Question 5(b)**(6 MARKS)**

Explain the provisions of law relating to unpaid seller's 'right of lien' and distinguish it from the "right of stoppage the goods in transit".

Question 6(a)**(4 MARKS)**

State 8 points of difference between Partnership and Joint Stock Company.

Question 6(b)**(4 MARKS)**

On which grounds, Court can dissolve the partnership firm?

Question 6(c)**(4 MARKS)**

What do you mean by Quantum Meruit and state the cases where the claim for Quantum Meruit arises?

Question 7(b)**(5 MARKS)****Read the passage given below.**

- (i) **Make notes**, using headings, sub-headings, and abbreviations wherever necessary. **(3 Marks)**
- (ii) **Write summary**. **(2 Marks)**

Children spend the most productive time of the day in schools. Hence, schools should be a 'happening place' for them. Unless they voluntarily come to school, enjoy and understand the teaching methods, children will not like the experience. It is tragic that after 72 years of Independence, over 10 per cent of the government primary schools are still single-class room or single teacher schools; the condition being worse in the northeast. According to a World Bank survey, children in the age group 7-14 could not read even a simple story in India. Dropout rates are high and only about 25% of the children who enroll in primary education pass fifth grade.

Mere tall buildings or modern laboratories or even AC class rooms in schools cannot substitute a teacher who inspires the generation of students both inside and class room and outside. It is the duty of the government and every school management to train, motivate and compensate teachers well. Only then will they contribute willingly for the welfare of students.

In cities and towns, educated parents go out of their way to provide quality education to their children, but this does not happen in rural India. Most of the poor parents send their children to schools so that their children would get at least one meal free. As the days go by, roughly about 60 per cent drop outs are noticed for reasons known only to parents. In some states, parents take children to work whose income they believe will supplement their daily needs. They fear that they will lose the income of their children, once they go to school. Lack of awareness on the part of parents and their apathy is the root cause for not enrolling their children in schools. As we celebrate Independence Day this month and Teachers Day next month, let us remind ourselves the words of John F. Kennedy "Ask not what the country has done to you but ask what you have done to the country." The easiest way is to adopt a primary school in our nearby area to express our solidarity to this great nation that has given us everything.

Question 8(a)**(2 MARKS)**

What are the main steps in the process of communication?

Question 8(b)**(1*3 = 3 MARKS)**

- (i) Change the following sentence into passive voice.
Abhishek speaks a lot on politics.
- (ii) Change the following sentence to indirect speech.
The Principal said, 'You are a bright child'.
- (iii) Select the suitable synonym for the given words.
Conservatism
a. Behaviourism b. Cognitivism c. Toryism d. Innateness

Question 8(c)**(5 MARKS)****Write a precis and give appropriate title to the 'passage given below':**

Several spiritual philosophies contain the notion of an inner 'third eye', related to the pineal gland, to which is attributed significance in mystical awakening or enlightenment, higher states of consciousness and extrasensory perception (ESP). Mention of this is found historically in ancient Central and East Asia and also in contemporary metaphysical theories

relating to yoga. A neurologist in Jaipur claims to have found new evidence throwing light on interactions between a physical brain and a non-physical consciousness which leave an impact on human thought, emotion and behaviour. These psychic phenomena are linked with the 'third eye', he says Dr. Ashok Panagariya, recipient of the prestigious B.C. Roy Award, says that the studies on the two functional units of brain and consciousness and new understanding of psychic phenomena may lead humankind to the ability to induce ESP at will. Pineal gland studies hold a great futuristic link between human and superhuman experiences.

Pineal gland, being the only singular structure in the brain and having a strategic position between the two halves, is believed to connect between intellect and the body. This 'third eye' could be activated to spiritual world frequencies, enabling a person to have the sense of all knowing, godlike euphoria and oneness all around him, says Dr. Panagariya. Once tuned into proper frequencies with the help of meditation, yoga or various esoteric and occult methods, pineal gland can also enable a person to travel into other dimensions, popularly known as astral travel, cosmological projection or remote viewing. Dr. Panagariya, formerly the Principal of Sawai Man Singh Government Medical College in Jaipur, has pointed out that the recent developments in parapsychology and neuroscience have revealed new clues about the way ESP and other psychic abilities are processed by the brain. "Science is providing some answers about the structure or physiology of brain which makes parapsychological reception possible."

"The most astounding discovery of all is that the brain produces a parapsychology enhancing neurotransmitter," says Dr. Panagariya while referring to a class of substances known as beta-carbolines which are secreted from the pineal gland. He says this neurochemical is only produced at night and breaks down into melatonin, another substance which has been associated with psychic experiences.

Dr. Panagariya, presently a member of the Rajasthan State Planning Board, has in his study referred to another recent discovery of interest to psychic researchers proving that the human brain contains magnetite (ferrous oxide), which renders the brain sensitive to the Earth's magnetic fields.

"It has long been known that birds and other animals use magnetite in their brains to aid in navigation. Magnetite is especially concentrated in the pineal gland and the temporal lobes," says Dr. Panagariya, offering scientific explanation to the spiritual, mystical and paranormal experiences.

(Source: The Hindu)

Question 9(a)**(1 MARK)**

What is network in communication?

Question 9(b)**(1*4 = 4 MARKS)**

- (i) Choose the word which best expresses the meaning of the given word. **(1 Mark)**

Stolid

- (a) Stain (b) Strafe (c) Stork (d) Stoical
- (ii) Choose the correct alternative for underlined phrase: **(1 Mark)**
We should guard against our green-eyed friends.
(a) rich (b) jealous (c) handsome (d) over-enthusiastic
- (iii) Change the following sentence into passive voice: **(1 Mark)**
Had they completed the paperwork?
- (iv) Change the following sentence to indirect speech. **(1 Mark)**
"Chinese language is very difficult to learn." He said.

Question 9(c) (5 MARKS)

Write a letter on behalf of XYZ Group for enquiry about the catering services.

Question 10(a) (2 MARKS)

What is the 'Chain of Command' in communication? What are its drawbacks?

Question 10(b) (1*3 = 3 MARKS)

- (i) Select the suitable antonym for the given words.
Abstention
a. assembly b. Binge c. Spree d. Obscure
- (ii) Change the following sentences into passive voice.
Why did your friend write such a message?
- (iii) Change the following sentence to indirect speech.
She said, 'Alas! I am undone.'

Question 10(c) (5 MARKS)

Write an Article of about 250-300 words on the topic "Social media interferes with personal life".

Question 11(a) (2 MARKS)

List at least 5 barriers of communication. Explain any two of them in your own words.

Question 11(b) (1* 3 = 3 MARKS)

- (i) Select the suitable antonym for the given word:
Proficient
(a) Incompetent (b) Probable (c) Skilled (d) Available
- (ii) Select the correct meaning of the idioms/phrases given below.
A wild goose chase
(a) Go hunting
(b) Enjoy the moment

- (c) Capture the inferior
- (d) Worthless search

(iii) Change the following sentence into Indirect speech.

She said, 'My mother cooks well'

Question 11(c)

(5 MARKS)

Mr. Mohit Agarwal, a resident of Meerut, has recently come across an advertisement, for a job vacancy in a leading TV Channel for the post of journalist, in The Times of India dated August 1, 2018.

Draft a Resume along with a cover letter in response to the advertisement.

J. K. SHAH CLASSES