



## CA INTERMEDIATE

SUBJECT-

Test Code –

(Date :)

(Marks - 50)

**TOPIC : Law: Limited Liability Partnership Act, 2008, Sale of Goods Act, 1930, Companies Act, 2013 and BCR: Chapter 7 to 13**

**Time allowed : 1.5 hours**

### Question 1(a)

F, an assessee, was a wealthy man earning huge income by way of dividend and interest. He formed three Private Companies and agreed with each to hold a block of investment as an agent for them. The dividend and interest income received by the companies was handed back to F as a pretended loan. This way, F divided his income into three parts in a bid to reduce his tax liability.

**Decide, for what purpose the three companies were established? Whether the legal personality of all the three companies may be disregarded.**

**(6 MARKS)**

### Question 1(b)

On behalf of your CA firm, **write a formal mail** to all your clients requesting them to provide all the necessary information, needed for advance tax. State that details should be sent well in time, before Jan 31, 2019.

**(5 MARKS)**

### Question 1(c)

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

**(5 MARKS)**

### Question 2(a)

Abhishek contracts to sell Bhusan, by showing sample, certain quantity of tea described as test quality Darjeeling tea. The tea when delivered matches with the sample, but it is not Darjeeling tea. Referring to the provisions of Sale of Goods Act, 1930 advise the remedy, if any, available to Bhusan.

**(5 MARKS)**

### Question 2(b)

As the HR Manager of your organization, **draft a circular** for all the employees of your company, informing them about a charity cultural event being organized over the weekend in the office campus. Mention a few events and request for active participation.

**(5 MARKS)**

### Question 2(c)

State briefly the essential element of a contract of sale under the Sale of Goods Act, 1930. Examine whether there should be an agreement between the parties in order to constitute a sale under the said Act.

(4 MARKS)

**Question 3(a)**

Explain the circumstances in which LLP may be wound up by Tribunal under the LLP Act, 2008.

(5 MARKS)

**Question 3(b)**

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.

(5 MARKS)

**Question 4(a)**

**Write a Precis of the following passage reducing it.**

Mr. Soni had recently joined as Managing Director of a Car Manufacturing Company, which at present is incurring heavy losses. Mr. Soni has been entrusted with formidable task of rejuvenating the Company. He faced many challenges to achieve the task such as controlling costs and expenses, increasing productivity and boosting morale of the employees so that they unhesitatingly co-operate to achieve the set standards of output.

Mr. Soni in his previous company, also a Car Manufacturing Company, as Deputy Managing Director, had proved to be a proficient Manager and a talented leader, who had successfully inspired his employees to increase the productivity. He was commended for his maximum concern for both people and production and also for bringing about an integration and harmony between the needs of employees and of production.

In the new company also Soni continued his policies of participative management and his high concern for production and people. With a view to reviving the company back to health, he effected some major changes. First of all, he had decentralized the organization so that subordinates could exercise their discretion and initiative in decision-making and their imagination and creativity in performing other managerial functions. Furthermore, he empowered junior Managers to sanction expenditure up to approved limit without seeking prior approval of the higher management. Communication system was also improved to facilitate free flow of upward and downward communication.

He also adopted several measures to cut cost and wasteful expenditure. He banned donations to charitable institutions, but increased the amount being spent on the welfare activities of employees.

Some employees are of the view that lot of things are being done, but they might not be effective in the long run. Majority of employees disagreed with them and said, okay, we will give it a try.

(5 Marks)

**Question 4(b)**

Your company, has witnessed a gradual decline in a consumer product over the one year.

**Prepare the minutes of the meeting** for the same. Members in the meeting; Head of the Sales and Marketing, Product head, Product lead and concerned team members.

**(5 MARKS)**