

Topic: Ch 1 to 4

Total Marks - 60

Time allowed – 1.5 hours

Q1.A. What do you mean by Shareholders Democracy?

Q1.B. Clubbing of similar claims/suits would result in efficiency of judiciary, as the same would save precious time of judiciary from adjudicating similar dispute numerous times. Comment.

Q1.C What are the main ingredients of cheating under Indian Penal Code, 1860?

Q1.D. What do you mean by Transfer and Transmission of Securities? Discuss.

(5 marks each x 4 = 20 marks)

Q2.A What are provisions of Punishment for Wrongful Withholding of Property?

Q2.B. Explain the Principle of Non-interference (Rule in Foss v. Harbottle).

Q2.C. . Due to inadequacy of profits, the BOD of company decided not to recommend any dividend for FY ending on 31 March, 2020, Certain shareholders of the company complained to the Tribunal regarding mismanagement of affairs of the company since the board did not recommend dividend. Whether contention of shareholders is tenable?

Q2.D. Mr. Krish, a resident of Mumbai is a friend of Mr. Parth, who stays in Manali. Mr. Parth did not have much exposure and information about personal finance and investment options in Manali, he trusted his friend for his investments. As per their agreement, Mr. Parth remitted Rs. 1 lakh to Mr. Krish to invest in Mutual Funds and Stock Market. Mr. Krish employs the money in his own business ignoring his understanding with Mr. Parth. Has Mr. Krish committed Criminal Breach of Trust?

Q2.E. An unintentional and mere accidental omission or commission generally will not stand the test of legal scrutiny in establishing a fraud. Comment.

Q2.F. What orders may be sought by NCLT under Section 245 of Companies Act, 2013?

(4 Marks each x 6 = 24 Marks)

Q3.A. Write a brief note on Fraud

Q3.B. Discuss Oppression and Mismanagement under the perspectives of Companies Act, 2013.

(8 marks each x 2 = 16 marks)