

Name:

Enrolment No:



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2018

Course: Company Law-I

Semester: VII

Programme: B.TECH.(CSE), LL.B. (Hons.) Cyber Laws 2015

B. TECH.(ET), LL.B. (Hons.) IPR 2015

Time: 03 hrs.

Max. Marks: 100

Instructions: 1. Use the last sheet for rough work, if any and strike off the rough sheet.
2. Strike off the unused blank sheets of your answer script.

SECTION A

S. No.	Define the following:	Marks	CO
Q 1	a) Corporation	2	CO1
	b) Association not for profit	2	CO2
	c) Illegal Association	2	CO2
	d) Holding Company	2	CO3
	e) Government company	2	CO3

SECTION B

Q2	Distinguish between a private and public company.	10	CO3
Q3	Describe the process of conversion of public company into private company.	10	CO4

SECTION-C

Q4	Critically evaluate the legal position and duties of a promoter of company.	10	CO3
Q5	Critically analyse the doctrine of constructive notice.	10	CO3

SECTION-D

Q6	As per the object clause of a memorandum of a company, the company is formed to carry on business of road construction. Later, the company wishes to expand to real estate construction. Advise the company on alteration of objects clause.	15	CO3
Q7	A purchased 100 shares of a company on the basis of a prospectus which contained a	15	CO5

	<p>statement ‘company has paid dividends of rupees ten lakhs’, while factually the company had only declared and not paid the dividend.</p> <p>What are the remedies available for A under these circumstances?</p>		
Q8	<p>A, a director of a company died in a train accident. Board of Directors want to appoint B in her place.</p> <p>Can BoD do this in board meeting instead of calling an extraordinary general meeting? (5 marks)</p> <p>If appointed, what shall be the tenure of B’s appointment as director under these circumstances? (5 marks)</p>	10	CO6
Q9	<p>A meeting was adjourned by the chairperson due to lack of quorum. Next week, same time and same place, the adjourned meeting took place without any fresh notice. Is the adjourned meeting valid?</p>	10	CO6

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SECTION A

S. No.	Define the following:	Marks	CO
Q 1	a) Dormant Company	2	CO1
	b) Listed company	2	CO6
	c) Subsidiary Company	2	CO2
	d) Associate Company	2	CO3
	e) Unregistered Company	2	CO2

SECTION B

Q2	Broadly describe the process of formation of a company.	10	CO3
Q3	Describe the process of conversion of private company into public company.	10	CO4

SECTION-C

Q4	Critically evaluate various judicial decisions on pre-incorporation contracts.	10	CO3
Q5	Critically analyse the doctrine of indoor management.	10	CO3

SECTION-D

Q6	A, the CEO of a company issues share certificates in his favour by forging signature of Directors. If traded further, can the company be held liable for the shares thus issued?	10	CO5
Q7	Despite not receiving minimum subscription as stated in the prospectus, XYZ company allotted 50 shares to A. What is the status of such allotment under company law?	10	CO4

Q8	Despite not receiving minimum subscription as stated in the prospectus, XYZ company allotted 50 shares to A. If the company withdraws the application money from bank without meeting the minimum subscription requirement, what is the liability of company for the withdrawal?	10	CO4
Q9	A company had appointed an employee X as an alternate director for two months as Y the regular director, wanted to go on vacation. Y returned within a month and insisted on attending BoD's meeting while the alternate director's appointment was still valid. Advise the company.	10	CO6
Q10	A proxy demands his presence to be counted for purpose of quorum and as representing 15 % of voting power, to demand poll on this issue. Advise the company.	10	CO6