


SET - A

Roll No.	
SAP ID	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, July 2020
Open Book – Through Blackboard Learning Management System

Course: Company Law -II ; Semester: VI
Programme: B.B.A.LLB(HONS)International Trade and Investment Law /Banking Finance and Insurance Law/ B.B.A.LL.B (Hons.) Corporate Law 2017
Course Code- CLCC 3006

Time: 03 hrs.

Max. Marks: 100

Instructions:

As this examination is in open-book format, the students are expected to demonstrate a very high degree of Academic Integrity and not copy contents from resources referred. Instructors would look for understanding of the concept by the students and any similarity found from resources online/ offline shall be penalized in terms of deduction of marks and even cancellation of paper in requisite cases. The online examination committee of the School would also look for similarity of two answer scripts and if answer scripts of two or more students are found similar, both the answer scripts shall be treated as copied and lead to cancellation of the paper. In view of the aforesaid points, the students are warned that they should desist from using any unfair means.

All Questions are Compulsory
Answer each question in not more than 500 words

S. No.		Marks	CO
1	A charge in favour of a public financial institution created by a public company to secure a sum of Rs100 crore was not created within the statutory period and the Central Government on an application made by the company did not grant extension of time. Is it possible to revive the said charge?	20	1
Ans.			
2	A group of shareholders consisting of 25 members decides to file petition before the tribunal for relief against oppression and mismanagement by the Board of Directors of M/sXYZ limited. Company has a total of 300 members and the group of 25 members hold one-tenth of the total paid-up share capital accounting for one-fifteenth of the issued share capital. The main grievance of the group is that due of mismanagement by the Board of Directors, the company is incurring losses and the company has not declared any dividends even profits were available in the past years for declaration of dividend. Advise the group of shareholders regarding the success of (1) getting the petition admitted and (2) obtaining relief from the Tribunal. Explain.	20	1,4
Ans.			

3	X Estates Ltd. was incorporated with the object of developing land for residential houses as well as purchase and sale of flats .It had ,therefore, purchased 5 acres of land near the airport at Lucknow. But Government acquired the same for defence purposes. The company would not replace the land, as the prices of land of other places were prohibitive. Would it be just and equitable to wind up the company in the circumstances?	20	2,4
Ans.			
4	Examine with reference to the provisions of the companies Act, 2013 , whether the following companies can be treated as foreign companies: (a) A company incorporated outside India having a share registration office at Mumbai. (b) Indian citizens incorporated a company in Singapore for the purpose of carrying on business there. (c) What is the status of XYZ Ltd., a company incorporated in London, UK, which has a share transfer office at Mumbai?	20	1,3
Ans.			
5	Analyse and Discuss the evolution of Corporate Criminal Liability in the Indian context with the help of relevant case laws	20	4
Ans.			

I,, understand that submitting work that isn't my own may result in failure in this paper and I may also be subject to Disciplinary Proceedings as per the Academic Integrity policy of the University.