


Name:			
Enrolment No:			
UNIVERSITY OF PETROLEUM AND ENERGY STUDIES End Semester Examination, May 2023			
Course: COMPANY LAW II Semester: VI Program: B. Tech LL. B. (Hons.) (Cyber Laws) Time : 03 hrs. Course Code: CLCC 3006 Max. Marks: 100			
Instructions:			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	Define Non -Convertible debentures”.	2	CO1
Q 2	Define the term “Moratorium” as per IBC code.	2	CO1
Q 3	What is the meaning of words “oppression and mismanagement” under company law?	2	CO1
Q 4	Who can approach under IB Code?	2	CO1
Q 5	What is information utility under IB Code?	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q 6	What do you understand between vertical and horizontal Merger?	5	CO2
Q7	Discuss the composition of Audit Committee. Also discuss the functions, duties, and role of this committee.	5	CO2
Q8	What are the objectives of IB Code.?	5	CO2
Q9	Distinguish between a fixed charge and floating charge. whether a property under floating charge under the control of company can be sold by the company?	5	CO2
SECTION-C (2Qx10M=20 Marks)			
Q 10	Whether time is an essence under the IB Code for completing the insolvency proceedings?	10	CO3
Q 11	Explain in detail the CIRP process for a financial creditor	10	CO3

SECTION-D
(2Qx25M=50 Marks)

Q 12.	<p>The Board of directors of Sunil and Co. Ltd., passed a resolution at its meeting, decided to provide a loan of Rs. 50 Crore to Swadeshi Ltd.</p> <p>1.The paid-up share capital of the Sunil and Co. Ltd on the date of resolution was Rs.90 Crore and 2. the aggregate balance in the Free Reserves and Securities Premium Account is Rs. 35 Crore.</p> <p>You are required to examine the provisions of the Companies Act, 2013, to decide whether the Board's resolution to provide a loan of Rs. 50 Crore to Swadeshi Ltd. is valid?</p>	25	CO4
Q 13.	<p>Company law 2013 has been specially designed provisions in such a manner so that an equitable balance can be maintained between the different classes of shareholders. Dinanath limited entered into a series of transactions with Reliance Limited which were only favorable to a class of shareholders and aggrieved by this Minority shareholder opposed this transaction, but the company never cared for their concern. Minority shareholders have approached you.</p> <p>You as legal counsel are required to advise on the following.</p> <ol style="list-style-type: none">1. Whether oppression and minority protections rights have been enshrined in the company law?2. Explain the concept of Class action suits in Indian Scenario with the help of case law.	25	CO4