

| Name: | |  | |
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| Enrolment No: | | | |
| UPES End Semester Examination, May 2023 | | | |
| Course: Company Law I Program: LL.B (CNTL) Course Code: CLCC 1031 | | Semester : II Time : 03 hrs. Max. Marks: 100 | |
| Instructions: All questions are compulsory. No word limit. | | | |
| SECTION A (5Qx2M=10Marks) One word type question/multiple choice question | | | |
| S. No. | | Marks | CO |
| Q 1. | A person cannot hold office of a director simultaneously in more than: a) 10 companies b) 15 companies c) 20 companies d) 50 companies | 2 | CO1 |
| Q 2. | Write a short note on Section 8 of the Companies, Act 2013? | 2 | CO1 |
| Q 3. | a) The gap between two annual general meeting, must not be more than _____ months. b) A certificate of Incorporation given by the Registrar shall be conclusive evidence. (TRUE/ FALSE) | 2 | CO1 |
| Q 4. | Define forfeiture of shares? | 2 | CO1 |
| Q 5. | a) Share warrant is a kind of _____ instrument. b) A prospectus of a company must be issued within _____ days of its registration. | 2 | CO1 |
| SECTION B (4Qx5M= 20 Marks) Short answer type questions | | | |
| Q 6. | Differentiate between Red-herring prospectus and Shelf prospectus? | 5 | CO2 |
| Q 7. | Explain the restrictions on private companies under Companies Act, 2013. | 5 | CO2 |

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| Q 8. | Explain the procedure of conversion of a public company into private company. | 5 | CO2 |
| Q 9. | Discuss the difference between ordinary meeting and extraordinary meetings. | 5 | CO2 |
| SECTION-C (2Qx10M=20 Marks) Long answer type questions | | | |
| Q 10. | <p><i>The formation and functioning of the company are governed by certain laws, rule and regulations. The enactment of company law intends to provide protection to company, its management as well as the outsider person who is contractually engaging with the company.</i></p> <p>Doctrine of indoor management is an exception to the rule of constructive notice. Elaborate.</p> | 10 | CO3 |
| Q 11. | <p><i>“A director of a company stands in a fiduciary relationship towards the company and shall observe utmost good faith towards the company in any transaction with it or on behalf of it.”</i></p> <p>Critically examine the above statement and mention the other duties of directors with decided cases</p> | 10 | CO3 |
| SECTION-D (2Qx25M=50 Marks) Case study-based questions | | | |
| Q 12. | <p>Apple Tree Private Limited was incorporated as a private limited company. The board of directors in the meeting came to know that the documents compulsorily required to be filed by an Indian company under Companies Act, 2013 had not been filed with the RoC by the company and therefore, decided to take necessary steps to make the statutory compliances and re-file the requisite statutory documents with Registrar in accordance with provision of the 2013 Act.</p> <p>The Board of directors have hired you to file the documents.</p> <p>Briefly discuss the procedure for formation of the company as per 2013 Act.</p> | 25 | CO4 |
| Q 13. | The board of directors of Picasso Mines Ltd. Co. was approached by Mr. Frodo who wishes to sell a venture to the company. The proposal was rejected by the company after consideration by the board. Later, Mr. William who was director of the company has purchased the venture. | 25 | CO4 |

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| | <p>After a few years, Mr. Williams resold the venture to another company and earned huge profit.</p> <p>Discuss whether Mr. William is liable to account for it.</p> | | |
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