

101/ EYBMS (I) / Rom.

Law

Q.P. Code : 00085

[Time: 2½ Hours]

[Marks:75]

Please check whether you have got the right question paper.

Q.1 A. Fill in the blanks. (Any 8)

(08)

1. A third party to the contract is a _____ to a contract, thus cannot sue.
2. Misrepresentation means making a _____ statement.
3. Warranty is a stipulation that is _____.
4. Free services are _____ from the definition of consumer.
5. The _____ of a company may be lifted if the company assumes an enemy character.
6. In case of conflict between MOA and AOA, _____ prevails.
7. Copy of minutes must be furnished within _____ days of requisition.
8. A firm _____ become a member of a company.
9. CA is a _____ mark.
10. Champagne is an example of _____.

Q.1 B. State whether True or False. (any 7)

(07)

1. A warranty can subsequently be treated as a condition at the choice of the buyer.
2. Stranger to a contract cannot sue while stranger to consideration can sue.
3. Acceptance cannot be implied.
4. Goods bought on trial basis are considered to be sale.
5. Cheque does not require acceptance by the drawee.
6. Bill of exchange is an unconditional order.
7. Unfair Trade Practice means giving gifts.
8. For being a consumer consideration is necessary.
9. A company cannot be unlimited liability.
10. The gap between 2 AGM cannot exceed 12 months.

Q.2 A. Answer the following:

- a. Distinguish between Agreement and Contract. (8)
- b. "Mere silence does not amount to fraud". Comment. (7)

OR

- a. Explain the doctrine of Caveat Emptor. Explain the cases in which the rule of caveat emptor does not apply. (8)
- b. Under the sale of Goods Act, When is the seller of goods deemed to be an unpaid seller? When does the rights of an unpaid seller get terminated? (7)

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Q.3 Answer the following:

- a. Define Cheque. What are the characteristics of a cheque? (8)
 - b. Explain in detail the meaning of consumer. (7)
- OR**
- a. Discuss the essential characteristics of a promissory Note? (8)
 - b. Explain the objects of Consumer Protection Act, 1986. (7)

Q.4 Answer the following :

- a. What is Corporate Veil? When can the veil be lifted? (8)
 - b. Explain Memorandum of Association. Explain the clauses. (7)
- OR**
- a. Who is member? When can Membership be terminated in a company? (8)
 - b. What is the rights and liabilities of a member of a company? (7)

Q.5 Answer the following :

- a. What is Trade Mark? Explain the functions of Trade Mark. (8)
- b. Explain Patent in brief as per intellectual Property Rights. (7)

OR

Q.5 Short Notes (Any 3). (15)

- a. Doctrine of Caveat Emptor.
- b. Defects & Deficiency.
- c. Copyright.
- d. Promoter.
- e. Bills of Exchange.