

MID-TERM EXAMINATION
Course Name MBA, Semester Ist
(October, 2023) OFF LINE mode

Subject Code: MMS 109**Subject: Legal Aspects of Management****Time : 1 ½ Hours****Maximum Marks : 30****Note: Q. 1 is compulsory.**

Q1		(2.5*4)	
	(a) No consideration No Contract. Do you agree with this statement?		
	(b) Differentiate between fraud & misrepresentation.		
	(c) Give full name of following terms in accordance with CA 2013 (i) RUN (ii) SPICE		
	(d) A company put up telephone wires in a certain area. There was no power in Memorandum to put up wires there. The defendants cut them down. Can the company sue for damage done to the wires?		
Q2	(Attempt any Two Parts) UNIT-1	(5,5)	
	(a) Mr. Kapoor promised to pay his son a sum of INR 2 Lakh if the son passed CPA examination in the first attempt. The son passed the examination in the first attempt, but father failed to pay the amount as promised. Son files a suit for recovery of the amount. State along with reasons whether son can recover the amount under Indian Contract Act 1872.		
	(b) Aryan who is fourteen years of age, fractures his leg while playing cricket. He goes to a doctor and get his leg plastered. The doctor demands a fee INR 1500, but Aryan refuses to pay on the ground that he is minor. The doctor filed a suit against him. Will the doctor succeed? Give reasons		
	(c) "Impossibility of performance, as a rule, not an excuse for non-performance of a contract". Discuss		2160 e-commerce
Q3	(Attempt any Two Parts) UNIT-2	(5,5)	
	(a) Following is the shareholding structure of HPL Limited: <div style="display: flex; justify-content: space-between;"> <div>Government of Kerala</div> <div>25%</div> </div> <div style="display: flex; justify-content: space-between;"> <div>Central Government</div> <div>28%</div> </div> <div style="display: flex; justify-content: space-between;"> <div>A limited (Government Company)</div> <div>10%</div> </div> Whether HPL Limited will be a Government Company under Companies Act 2013?		
	(b) Discuss the doctrine of <i>ultra vires</i> . What is the legal effect of <i>ultra vires acts</i> ?		
	(c) Can a company ratify the contracts of promoters who acted on behalf of the company before its incorporation? What is the remedy available to third party in case of such contracts?		

1) to handle