

5. (a) A contract of sale comes into existence only on the delivery of goods. (2)
- (b) A contract is discharged only when both parties fulfil their obligations. (2)
- (c) A bought a washing machine by paying cash and did not take a receipt from the shopkeeper. The washing machine had serious technical defects. Advise A about his rights under the Contract Act. (4)
- (d) "The articles of association play an important role in the management of the company." In the light of this statement, describe the various contents of the articles. (10)
6. (a) A wilful misrepresentation of material facts can bring a valid contract into existence. (2)
- (b) An employee cannot seek information under RTI from his own department. (2)
- (c) A agrees to buy a scooter belonging to B for Rs. 20,000, and pays an advance of Rs. 5,000. The scooter was destroyed in a fire accident. Advise A. (4)
- (d) What is the meaning of "subscriber" and "affixing of digital signature" under Information Technology Act, 2008? What are the main uses of affixing of digital signature? (10)

(500)

[This question paper contains 4 printed pages.]

Your Roll No.....

Sr. No. of Question Paper : 1737

I

Unique Paper Code : 2922063502

Name of the Paper : Legal Aspects of Business

Name of the Course : **Bachelor of Management Studies (BMS)**

Semester : V

Duration : 3 Hours

Maximum Marks : 90

Instructions for Candidates

1. Write your Roll No. on the top immediately on receipt of this question paper.
 2. Attempt any 5 questions. All questions carry equal marks (18 marks each).
 3. Quote the relevant sections and cases wherever applicable.
 4. Parts of a question must be answered together.
 5. Critically analyse the statements/situations from a legal point of view and give reasons.
1. (a) Void agreement gives rise to legal consequences. (2)
 - (b) The liability of the designated partner in LLP is unlimited. (2)

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- (c) A doctor buys an x-ray machine for his nursing home. After using the machine for one year, he discovers some serious technical effects. Decide whether he can file a complaint under Consumer Protection Act, 2019. (4)
- (d) Define sale. Outline the characteristics of the contract of sale of goods. (10)
2. (a) An acceptance given during a telephonic conversation brings a contract into existence at a place where the acceptance is given. (2)
- (b) The state government cannot become a complainant under the Consumer Protection Act, 2019. (2)
- (c) The directors of a company had the power to buy vehicles worth Rs. 20 lakhs without the consent of shareholders, but they bought vehicles worth Rs. 30 lakhs and the vehicles were supplied by one of the directors. Is the company liable to pay for the vehicles? (4)
- (d) Explain the concept of undue influence and its effect on a contract. Who has the burden of proof? (10)
3. (a) In a contract of bailment, the possession of goods must change. (2)

- (b) A company comes into existence when it submits all the relevant documents to the registrar of companies for registration. (2)
- (c) A told a car dealer that he wants a sturdy vehicle to run a taxi service and cover various destinations in hill stations. The dealer gave him a car sold under the trade name "Venus." The car was found unsuitable for that purpose and did not meet safety standards. Decide whether A can reject the vehicle. (4)
- (d) Who is a consumer under the Consumer Protection Act, 2019? Describe briefly how the consumer rights are protected by the Consumer Protection Act. (10)
4. (a) In a LLP, the designated partner is liable for all the wrongful acts of the other partner. (2)
- (b) A promissory note can be an oral undertaking. (2)
- (c) A becomes a surety to C for the payment of rent by B under lease. Thereafter, B and C enter into a contract without A's consent that B will pay higher rent. State whether A is discharged from his liability as a surety. (4)
- (d) Describe briefly the meaning of right to information. How do you obtain information under the RTI Act, 2005? (10)