

MAY 2014

**P/ID 77605/PBE1E/
PBEXE**

Time : Three hours

Maximum : 100 marks

PART A — (5 × 6 = 30 marks)

Answer any FIVE questions.

1. State and explain any six void agreements.
2. What are the characteristics of a negotiable instrument?
3. How is company formed under the companies Act, 1956? Enumerate the various documents to be filed with the Registrar?
4. What are the objectives of labour law?
5. State the purposes for which ESI fund may be expended.
6. Write a detailed note on 'bonus formula' given in the Payment of Bonus Act, 1965.
7. State the legal rules as to consideration
8. Explain the term holder in due course.

PART B — (5 × 10 = 50 marks)

Answer any FIVE questions.

9. Describe the essential elements of a valid contract.
10. What are the different modes discharges of parties to a negotiable instrument?
11. Briefly explain the provisions of Companies act with regard to winding up subject to the supervision of the court.
12. When an employer is liable to pay compensation? Illustrate your answer with decided cases.
13. Briefly explain Employees' Pension Scheme under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.
14. Describe the machineries provided under the Industrial Disputes Act for investigation and settlement of industrial disputes.
15. Describe the law relating to minor's agreements.
16. What are the causes for breach of contract? Suggest remedial measures.

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PART C — (1 × 20 = 20 marks)

Compulsory

17. Analyse the following problems giving reasons for your answer citing relevant provision of the Act.
- (a) An employee was dismissed from service for an act of misconduct. The company did not pay any bonus to the dismissed employee for the accounting year in which the dismissal took place. Is the action of the company justified?
 - (b) 'A was appointed in 2003 as the sole distributor for the products of 'B', who was a manufacturer of certain drugs. In 2004, private manufacture, distribution and sale of some of those drugs were declared unlawful by a Government order. How does the order affects A's appointment?
 - (c) A worker went on leave, He continued to remain absent from duty even after expiry of leave. The employer treated the absence from duty without leave' as breach of continuity of service for the purposes of the Payment of Gratuity Act, 1972. Is the employer justified?
 - (d) A husband and wife, who were the only 2 members of a private limited company, are shot died by dacoits. Does the company also die with them?

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