

MAY 2011

**P/ID 37506/PBAF**

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Time : Three hours

Maximum : 80 marks

PART A — (5 × 5 = 25 marks)

Answer any FIVE questions.

All questions carry equal marks.

1. How are contracts classified on the basis of validity?
2. Name the cases in which a contract is not discharged on the ground of supervening impossibility.
3. What are the essential elements of a promissory note?
4. What are the conditions meant for payment in due course?
5. What are the special privileges of a private company?
6. What do you mean by special resolution? When is special resolution required?

7. Explain any five welfare facilities as prescribed by the Factories Act, 1948.
8. Explain the rules relating to nomination as provided in the payment of Gratuity Act, 1972.

PART B — (4 × 10 = 40 marks)

Answer any FOUR questions.

All questions carry equal marks.

9. Explain the various cases of discharge of a contract by mutual agreement.
10. Explain the importance of crossing of cheques. Illustrate different types of crossing.
11. What are the contents of Articles of Association? Distinguish between memorandum of Association and Articles of Association.
12. What is the 'golden rule' as to framing of prospectus? Explain the liability for misstatements in prospectus.
13. Explain the constitution, powers and duties of works committee and Boards of conciliation.
14. Explain the steps involved in determination of bonus.

PART C — (15 marks)

Compulsory.

15. (a) A music hall was agreed to be let out on certain dates but before those dates it was destroyed by fire. Is the promisor absolved from performing the contract? Give reason in support of your answer. (7½)
- (b) A workman goes to attend to his work riding on a bicycle and is involved in an accident in the course of the journey. Is the employer liable to pay compensation? Give reason in support of your answer. (7½)
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