

MAY 2013

**P/ID 77506/PMBF/  
PMB1F/PMBSF**

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Time : Three hours

Maximum : 100 marks

PART A — (5 × 6 = 30 marks)

Answer any FIVE questions.

All questions carry equal marks.

1. Write briefly about the essential elements of a valid contract.
2. Write briefly about types of crossing.
3. What are the privileges of a private company?
4. Explain the powers of directors.
5. Explain the doctrine of caveat emptor.
6. What are the various welfare provisions as given in the Factories Act?
7. Explain the constitution and functions of works committee.
8. Explain the rules regarding nomination as provided in the payment of Gratuity Act.

PART B — (5 × 10 = 50 marks)

Answer any FIVE questions.

All questions carry equal marks.

9. Explain the legal rules as to consideration.
10. Distinguish between sale and agreement to sell.
11. Explain the rules as to delivery of goods.
12. Explain different modes of discharge of a negotiable instrument.
13. Explain the provisions regarding alteration of memorandum of association.
14. Explain the provisions for fixation and revision of wages.
15. Explain the various benefits available under the ESI Act.
16. Explain the constitution and duties of Board of Conciliation.

PART C — (1 × 20 = 20 marks)

Compulsory

17. A, who had undertaken work which was ordinarily part of his trade or business contracted with B for the execution of a part of the work. B contracted

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with C for the work he had contracted with A. One of C's workmen was killed by an accident. The widow of the deceased workman applied before the commissioner for an order on A under the Workmen's Compensation Act, 1923 to deposit the amount of compensation for the death of her husband.

Discuss whether A is liable, and if A is liable, by whom is he entitled to be indemnified? If by B, then is B entitled to be indemnified by C? Give reasons.

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