



## BRAINWARE UNIVERSITY

Term End Examination 2024-2025

Programme – LL.B.-2021/LL.B.-2022/LL.B.-2023

Course Name – Company Law

Course Code - LLB305

( Semester III )

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

### Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

- (i) Identify the alternative of a Pre-incorporation contract
  - a) Provisional
  - b) Preliminary
  - c) Illegal
  - d) Legal
- (ii) Identify the meaning of Ultra Vires
  - a) Beyond the power
  - b) within the power
  - c) both beyond and within the power
  - d) none of these
- (iii) Locate the process of changing a company's Name
  - a) ordinary resolution
  - b) special resolution
  - c) either by special or by ordinary resolution
  - d) none of these
- (iv) Identify the section of the Companies Act, 2013 that defines Company
  - a) Section 2(20)
  - b) section 2(4)
  - c) section 2(24)
  - d) section 2(6)
- (v) Locate the percentage of paid-up share capital which the Govt. has to hold in a company for it to be a Govt. Company
  - a) more than 30
  - b) more than 40
  - c) more than 50
  - d) none of these
- (vi) Identify the companies that are exempted to add Ltd or Pvt Ltd at the end of their name
  - a) private
  - b) public
  - c) government
  - d) association not for profits
- (vii) Identify the Section under which a private company can be voluntarily converted into a public company
  - a) section 14(1)
  - b) section 15(2)
  - c) section 16(1)
  - d) section 17(1)
- (viii) Predict when the permission of the Central Government is required in case of conversion

- a) Private to public  
 b) Public to private  
 c) Both Private to public or Public to private  
 d) none of these
- (ix) Select the number of members who sign the MOA in case of a private company  
 a) 2  
 b) 4  
 c) 6  
 d) 8
- (x) Select the number of members who sign the MOA in case of a public company  
 a) 1  
 b) 3  
 c) 5  
 d) 7
- (xi) Locate the case where the doctrine of Indoor Management was evolve  
 a) Salmon vs. Salmon  
 b) Royal British Bank vs. Turquand  
 c) Lee vs Lee Air Framing Ltd  
 d) R vs Mc Donald
- (xii) Predict the doctrine of Ultra Vires is associated with  
 a) name clause  
 b) object clause  
 c) capital clause  
 d) liability clause
- (xiii) Choose the number of persons that is required to form a public company  
 a) 10 or more  
 b) 5 or more  
 c) 7 or more  
 d) 2 or more
- (xiv) Identify the document which is conclusive evidence that the company has complied with all the statutory requirments  
 a) Certificate of Incorporation  
 b) Certificate of commencement of Business  
 c) Both Certificate of incorporation and certificate of commencement of business  
 d) none of these
- (xv) Select the minimum number of members required to form a private limited company  
 a) 1  
 b) 2  
 c) 3  
 d) 7

### Group-B

(Short Answer Type Questions)

3 x 5=15

2. Enumerate the regulatory authority mentioning its responsibility for overseeing and regulating companies in India. (3)
3. Describe the function of members allowed in a private limited company under the Companies Act, 2013. (3)
4. Describe the role of directors required to form a public limited company in India. (3)
5. State the primary regulatory form and its procedure that governs the registration and functioning of companies in India. (3)
6. Compare the types of mergers commonly seen in corporate scenarios and provide a brief explanation of each. (3)

OR

- Evaluate the benefits that companies can achieve through successful acquisitions. (3)

### Group-C

(Long Answer Type Questions)

5 x 6=30

7. Define the term "ultra vires" and its implications on the actions of a company. (5)
8. Explain the concept of winding up of a company and the reasons that may lead to its initiation. (5)
9. Describe due diligence in the process of merger and acquisition (5)
10. Describe Promoter regarding his role in a company. (5)
11. Explain the role of the Registrar of Companies (ROC) in the process of incorporation and the purpose of obtaining a Certificate of Incorporation. (5)

12. Analyze the difference between the doctrine of indoor management and the doctrine of constructive notice. (5)

OR

Evaluate the legal consequences for a company that fails to comply with the doctrine of indoor management. (5)

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