

Seat No.: _____

Enrolment No. _____

GUJARAT TECHNOLOGICAL UNIVERSITY

MBA SEMESTER-4- EXAMINATION – SUMMER 2020

Subject Code: 4549281

Date: 07/11/2020

Subject Name: Legal Aspects of Business (LAB)

Time: 10:30 AM TO 1.30 PM

Total Marks: 70

Instructions:

1. Attempt all questions.
2. Make suitable assumptions wherever necessary.
3. Figures to the right indicate full marks.

- Q.1** Explain the terms: **14**
- a. Agency by Estoppel
 - b. Consumer Dispute
 - c. Digital Signature
 - d. Lien
 - e. Cyber Crime
 - f. Complaints as per Consumer Protection Act
 - g. License according to IT Act, 2000
- Q.2** (a) “All the contracts are agreements but all the agreements are not contract.” **07**
Agree? Explain with essential conditions.
- (b) Discuss remedies available to aggrieved party under Breach of Contract. **07**
- OR**
- (b) Define unpaid seller. Explain his rights with suitable examples. **07**
- Q.3** (a) What is the purpose to create trust? How can trust be created? Who can be the trustee? Explain in detail. **07**
- (b) Explain mutual rights and duties of a partner. **07**
- OR**
- Q.3** (a) What are the remedies open to an allottee of shares who has applied for them on the faith of a false and mis-leading prospectus, and what are the defenses available to the directors of a company who have issued such a prospectus? **07**
- (b) Differentiate between a Shareholder and a Member. Explain how one can become member and under what circumstances, Membership gets terminated? **07**
- Q.4** (a) Explain applicability and registration process for GST Act, 2017 **07**
- (b) Explain the classification of Negotiable Instruments **07**
- OR**
- Q.4** (a) What is Trademark? Explain infringement of Trademark with practical examples. State the remedies available for the same. **07**
- (b) What are the powers and functions of the Central Pollution Control Board and State Pollution Control Boards? **07**

Q.5

Case Study:

Megh went to a boutique to purchase a dress for his wife to gift her on her birthday. The owner offered him Five different dresses as per his description. Megh asked him to show him the same dress which was on display and showed interest to purchase the same. The owner told him that he could not buy that dress and would have to choose from the provided five options. Out of necessity and lack of time, Megh purchase a dress out of the dresses shown by the owner. He paid him cash and didn't take the cash memo. Later, when his wife wore the dress at home and was about to leave for a dinner, she found one patch of design missing. She showed this to Megh and asked to replace the dress next day. When Megh went to the boutique next day for replacement the owner bluntly denied that the dress was purchased from him.

- (a) Which consumer responsibility was not fulfilled by Megh which led to the situation? **07**
- (b) Can Megh file a complaint against the boutique owner? Why? **07**

OR

- Q.5** (a) Which consumer right of Megh is violated here? **07**
- (b) From the point of view of business which type of interest has been overlooked by the shopkeeper? Why? **07**
