

Seat No.: _____

Enrolment No. _____

GUJARAT TECHNOLOGICAL UNIVERSITY

MBA - SEMESTER- IV EXAMINATION – WINTER 2020

Subject Code:4549281

Date:01/01/2021

Subject Name:Functional Elective_Legal Aspects of Business (LAB)

Time:02:00 PM TO 04.00 PM

Total Marks: 47

Instructions:

1. Attempt any THREE questions from Q1 to Q6.
2. Q7 is compulsory.
3. Make suitable assumptions wherever necessary.
4. Figures to the right indicate full marks.

	Marks
1. A Explain the below terms with examples (a) Bilateral Contract (b) Ultra Vires (c) Sale by description	06
1. B Explain the below terms with examples (d) Promissory note (e) Trademark (f) Certifying authority	06
2 (a) What is free consent? Discuss Coercion, undue influence and misrepresentation with examples.	06
(b) Discuss the legal position of a minor in the India contract act.	06
3 (a) What is a prospectus of a company? Discuss its importance and content.	06
(b) What is a bill of exchange? Discuss its types.	06
4 (a) Who can be appointed as a trustee? What are the duties of a trustee?	06
(b) Who is an unpaid seller? Discuss the rights of unpaid seller against the goods.	06
5 (a) Discuss the powers of Central government under the Environmental Protection Act.	06
(b) What is a patent? What are the types of patents and conditions for patentability?	06
6 (a) What is a partnership firm? Discuss rights of partner in a partnership firm.	06
(b) What is GST? What are its benefits and challenges in Indian economy?	06
Q.7 Case Study	
(a) Sunil delivers his car to Mahesh for repairs. Mahesh completed the work but did not return the car to Sunil within reasonable time, though Sunil repeatedly reminded Mahesh for the return of the car. In the meantime, a big fire occurred in the neighborhood and the car was destroyed. Decide whether Mahesh can be held liable. Give reasons for your answer under the provisions of relevant act.	5.5
(b) A goes to B's shop and purchases a silk saree thinking that it is made of Banarsi silk. The shopkeeper knows that A's thinking. is wrong. He however, does not correct A's impression. Later on, when A discovers that the saree is not made of Banarsi silk, he wants to avoid the contract. Would A succeed? Give reasons?	5.5

OR

Q.7 Mr. X went to a shop to purchase a shirt. The shopkeeper offered him three colors of shirts. Mr. X asked him to show him the shirt which was on display. The shopkeeper told him that he could not buy that shirt and would have to choose from the options provided by him. Out of necessity and lack of time Mr. X purchased a shirt out of the	11
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shirts shown by the shopkeeper. He paid him cash and didn't take the cash memo. Later, when he tried the shirt at home, he found the shirt defective. He went to the shop the next day and asked for replacement. The shopkeeper bluntly denied that the shirt was purchased from him.

1. Which consumer right of Mr. X is violated here? Which consumer responsibility was not fulfilled by Mr. X which led to this situation?
2. Can Mr. X file complaint against the shopkeeper? From the point of view of business which type of interest has been overlooked by the shopkeeper? Why?

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