



0202/0621

**II Semester 3 Year LL.B./VI Semester 5 Years B.A.LL.B./B.B.A.LL.B.
Examination, December 2016
COMPANY LAW**

Duration : 3 Hours

Max. Marks : 100

- Instructions:**
1. Answer Q. No. 9 and **any five** of the remaining questions.
 2. Q. No. 9 carries **20** marks and the remaining questions carry **16** marks **each**.
 3. Answers should be written **either** in English or Kannada **only**.

- మూలాలు:**
1. ప్రత్యేకి 9 మత్తు ఇన్నాళిద ప్రత్యేగభల్లి యావుదే ఐదు ప్రత్యేగభన్న లుత్తరిసిరి.
 2. ప్రత్యేకి 9 క్రింది 20 అంకగభు హాగూ ఇన్నాళిద ప్రత్యేగభిగె తలా 16 అంకగభు.
 3. లుత్తరగభన్న ఆంగ్ల భాషెయల్లాగలి అధివా కెన్నడదల్లాగలి బరేయతక్కుద్దు.

Q. No. 1. Explain the circumstances in which the “Corporate Veil” of the company will be lifted by the court. Marks : 16

న్యాయాలయదింద కంపనియ సంస్థ స్ఫూర్హపద ముసుకన్న సరిసలు నీడువ ఆదేశక్కే ఇరువ సందబ్ధగభన్న వివరిసి.

Q. No. 2. “Company cannot be sued for pre-incorporation contracts.”
Discuss. Marks : 16

“సంస్థాపనా పూచ కరారుగభిగె కంపనియ విరుద్ధ దావె హాడువంతిల్లి”
జచించిసిరి.

Q. No. 3. Explain the doctrine of Indoor Management with exceptions. Marks : 16
ఒఖాడభిత సిద్ధాంతమన్న అపవాదగభోందిగె వివరిసి.

Q. No. 4. Define “Prospectus”. What are the remedies available for misrepresentation in the prospectus ? Explain. Marks : 16
“పరిజయ పత్ర”మన్న వ్యాఖ్యానిసి. పరిజయ పత్రదల్లిన తప్పు హేళికేగభిగె ఇరువ పరిహారగభావువు ? వివరిసి.



Q. No. 5. State the powers and duties of directors in the company. Marks : 16

ಕಂಪನಿಯ ನಿರ್ದೇಶಕರ ಅಧಿಕಾರ ಮತ್ತು ಕರ್ತವ್ಯಗಳನ್ನು ತಿಳಿಸಿರಿ.

Q. No. 6. Explain the different types of share capital. Marks : 16

ಶೇರು ಬಂಡವಾಳದ ವಿವಿಧ ಪ್ರಕಾರಗಳನ್ನು ವಿವರಿಸಿ.

Q. No. 7. Discuss the members' voluntary winding up of the company. Marks : 16

ಸದಸ್ಯರ ಸ್ವ-ಇಚ್ಛೆಯಿಂದ ಕಂಪನಿಯ ಸಮಾಪನೆಯ ಕುರಿತು ಚರ್ಚಿಸಿ.

Q. No. 8. Write short notes on **any two** of the following : Marks : 8×2=16

ಕೆಳಗಿನ ಯಾವುದಾದರೂ ಎರಡಕ್ಕೆ ಲಘು ಟಿಪ್ಪಣಿ ಬರೆಯಿರಿ :

a) Doctrine of ultra vires.

ಅಧಿಕಾರಾತೀತ ಸಿದ್ಧಾಂತ.

b) Forfeiture of shares.

ಶೇರುಗಳ ಮುಟ್ಟಗೋಲು.

c) Rule laid down in "Foss V/s Harbottle".

"ಪೋಸ್ ವಿರುದ್ಧ ಹರಬಾಟಲ್" ಪ್ರಕರಣದಲ್ಲಿನ ನಿಯಮ.

Q. No. 9. Solve **any two** of the following problems : Marks : 2×10=20

ಕೆಳಗಿನ ಯಾವುದಾದರೂ ಎರಡು ಸಮಸ್ಯೆಗಳಿಗೆ ಪರಿಹಾರ ತಿಳಿಸಿರಿ :

a) 'A' transferred certain land to 'B' on a condition that 'B' would never sell the land to coloured persons. 'B' sold the land to a company composed exclusively of Negros. 'A' took action for the annulment of the transfer on the ground that property had passed to coloured persons. Will he succeed ?

'ಆ' ತನ್ನ ಭೂಮಿಯನ್ನು ವರ್ಣೀಯ ಜನರಿಗೆ ಮಾರಬಾರದೆಂಬ ಷರ್ತಿನೊಂದಿಗೆ 'ಬ'ನಿಗೆ ಮಾರುವನು. 'ಬ' ನು ಅದನ್ನು ನಿಗ್ರೋಗ್ರಾಂಡಲೇ ಕೂಡಿದ ಕಂಪನಿಗೆ ಮಾರುತ್ತಾನೆ. 'ಆ' ನು ತನ್ನ ಷರ್ತೆ ಉಲ್ಲಂಘನೆಯಾಗಿದೆ ಎಂಬ ಕಾರಣದ ಮೇಲೆ ಮಾರಾಟವನ್ನು ರದ್ದುಗೊಳಿಸುವಂತೆ ದಾವೆ ಹಾಡುವನು. ಅವನು ಜಯ ಗಳಿಸುವನೇ ?



- b) A Company's Articles provides that a member who becomes bankrupt shall often for sale of his shares to other share holders at the price fixed by the directors. Decide the validity of the provision.

ಒಂದು ಕಂಪನಿಯ ಲಿಖಿತ ಕಟ್ಟಳೆಯು ತನ್ನ ಸದಸ್ಯರು ದಿವಾಳಿಯಾಗಿದ್ದಲ್ಲಿ ಅಥವಾ ತನ್ನಲ್ಲಿ ಶೇರುಗಳನ್ನು ಇತರ ಶೇರುದಾರರಿಗೆ ಕಂಪನಿಯ ನಿರ್ದೇಶಕರು ಗೊತ್ತುಪಡಿಸಿದ ಬೆಲೆಗೆ ಮಾರಾಟ ಮಾಡಬೇಕೆಂಬ ನಿಯಮವನ್ನು ಹೊಂದಿರುತ್ತದೆ. ಈ ನಿಯಮವಾಳಿಯ ಉಚಿತತೆಯನ್ನು ನಿರ್ಧರಿಸಿ.

- c) The directors of a company by two resolutions resolved to make a call. But neither resolutions have specified the date and amount of payment. Is the call valid ?

ಒಂದು ಕಂಪನಿಯ ನಿರ್ದೇಶಕರು ಶೇರುಗಳ ಮೇಲಿನ ಕಂತು ಹಣಕ್ಕಾಗಿ ಎರಡು ಗೊತ್ತುವಳಿಗಳ ಮೂಲಕ ಕರೆ ಮಾಡಿದರು, ಆದರೆ ಯಾವುದೇ ಗೊತ್ತುವಳಿಯಲ್ಲಿ ದಿನಾಂಕ ಮತ್ತು ಹಣದ ಮೌತ್ತವನ್ನು ನಮೂದಿಸಿರುವುದಿಲ್ಲ. ಈ ಕರೆಯು ಉಚಿತವೇ ?
